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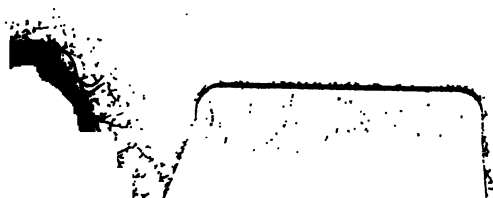
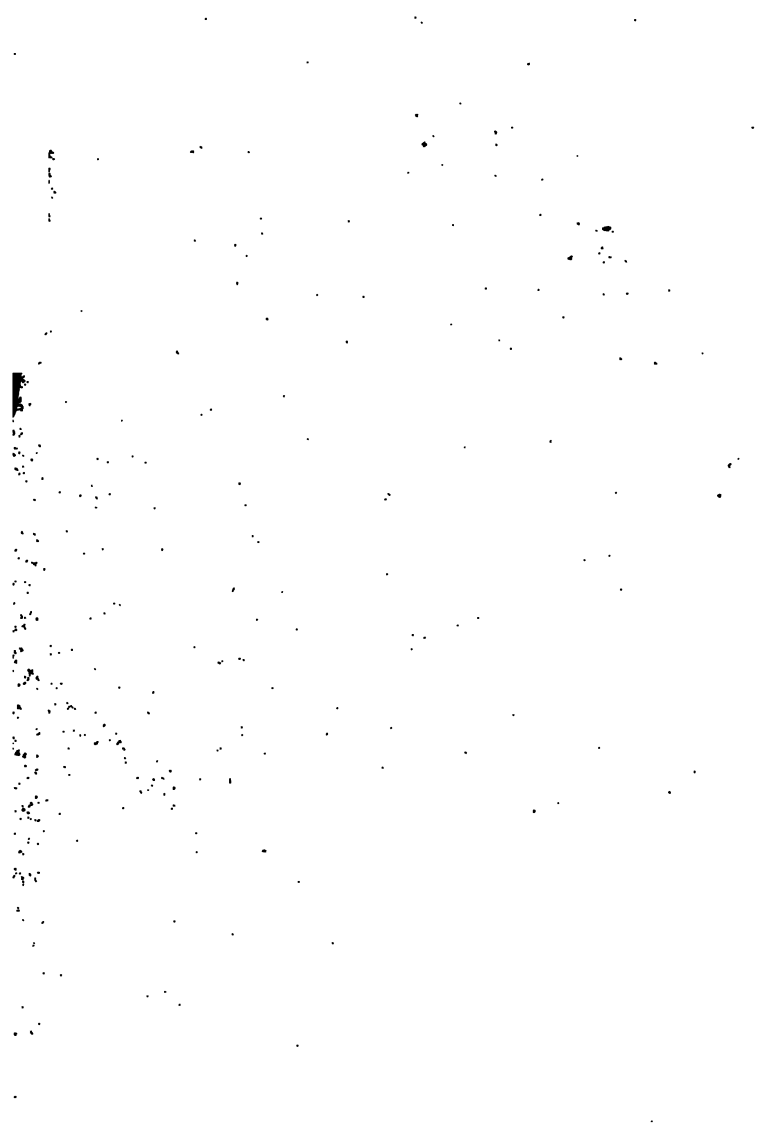
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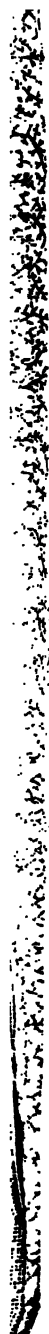
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# HEREDITY AND HUMAN PROGRESS

BY

W. DUNCAN McKIM, M.D., PH.D.

"'T is an unweeded garden  
That grows to seed ; things rank, and gross in nature,  
Possess it merely."

*Hamlet.*

" Each man in whom dissatisfaction is aroused by institutions which have survived from a less civilized past, or whose sympathies make certain evils repugnant to him, must regard his feelings thus excited as units in the aggregate of forces by which progress is to be brought about ; and is called on to expend his feelings in appropriate deeds."

HERBERT SPENCER.

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## PREFACE

PROFOUNDLY convinced of the inefficiency of the measures which we bring to bear against the weakness and depravity of our race, I venture to plead for the remedy which alone, as I believe, can hold back the advancing tide of disintegration.

With the flood of light recently thrown upon the nature of man by the researches of mental pathology and criminology, and with the independence of judgment induced by the methods of modern science, it is a marvel that we halt in indecision before that greatest of all practical problems—how to stem the ever-strengthening torrent of defective and criminal humanity.

Religion, philanthropy, and the law have in this shown themselves powerless. If civilization cannot devise more efficient means of self-protection, its progress will continue to be leaden-footed or even, as we may fear, be gradually transformed into retrograde motion. History shows by many examples how, through inadequate self-regulation, mighty nations wane and vanish.

The remedy here proposed is in part a very old idea, but so modified and expanded as to differ profoundly from its prototype. Some recent writers have hinted that, in the near future, this old idea

might need readaptation; others have mentioned it, but with disapproval only. The subject is by no means a novelty, but as yet, to the best of my knowledge, no one has given it much serious consideration, or sought to elaborate it into a plan susceptible of practical application.

As here presented, the remedy may appear to many readers injudicious, incompatible with the best sentiment of the epoch, or even completely impracticable. Of such readers I would ask that they suspend their judgment, and give an unprejudiced hearing until the end. I would ask that they bring their intelligence and human sympathy to bear not upon the mere book—the product of an individual mind—but upon the great idea which, more or less consciously, now surges restlessly in many minds and here finds extended expression.

I think that the most conservative of my readers will admit that there has been a very sure, if also a very gradual, modification of all human sentiments and beliefs; that every idea which has enlightened and advanced the race has been at first generally unacceptable; and that the idea here pushing to the light, as an expression of the spirit of the age, may be destined to develop, in spite of conservative opposition, into a rich and wide usefulness.

The reader who raises the usual time-worn objections to *any* change, and thereby condemns the book, does nothing of worth for himself nor for the cause of humanity; but he who weighs the merits of the essential idea with the honest weights of an independent judgment will, to that degree, whether he

bestow approval or condemnation, have given of his strength to the cause of truth and right.

A part of the proposed remedy—the method of dealing with the vicious—may, I believe, be made an immediate practical issue; another part—that relating to the “defective”—must remain, no doubt, an issue for the distant future. Yet we live in an age characterized by rapid transformations of opinion and custom, and the times appear ripe for the weighing of the plan in its entirety.

The real value of the views here presented, no single mind can determine: it is my aim and end simply to awaken a wide, intelligent, and honest discussion of a question which, to me, appears, both for nation and race, of the greatest importance. It is my hope that the plan may have dispassionate and conscientious consideration, and that such good as it contains may find practical adaptation to the deep needs of humanity.



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## HEREDITY AND HUMAN PROGRESS



# HEREDITY AND HUMAN PROGRESS

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## CHAPTER I

### INTRODUCTION

**A**MONG the many questions which, in this eager age, press for solution, there is none of deeper interest to the thoughtful and philanthropic mind than that which pertains to the treatment of our "defectives" and criminals. If we view broadly the evil which these individuals engender, we find not only that it thwarts the best purposes of men but that it lies at the very root of all human misery. When we have conceived and put into application a wise solution of this problem, we shall have begun a true rejuvenation of the race.

It is a saddening fact that, although the most highly developed of all animals, we men appear to be the least in harmony with our environment, to fall farthest short of our possibilities. As we observe the inferior animals, we cannot but be impressed by

their wonderful adaptation, in structure and function, to the needs imposed by their environment. With us men, it is not so. Everywhere about us, we find the misshapen or otherwise physically defective. Sadder still is the aspect of human intelligence. Thousands of men are helpless idiots; in larger numbers are those who, beginning life with fair promises, sink, sooner or later, into the pitiable condition of insanity; while more numerous still are the imbecile or weak-minded. The capacity of the average so-called normal mind is very small, while the finest and strongest intelligences are so tinctured with unreasonable sentiment and ill-regulated desires, as to mar alike their usefulness to their fellows and their own happiness.<sup>1</sup>

We esteem ourselves the most highly favored of all animals—why should we fare the most sadly? A reasonable answer to the question appears not difficult. It would seem that our unfortunate condition is not a natural *necessity* but the result of our

<sup>1</sup> The general level of human intelligence is so low that in the most civilized lands, according to Galton's estimate, only one man in about four thousand is so endowed as to become "eminent," or generally recognized by the world at large as of conspicuous ability. Of the men whom he would designate as "illustrious"—those whose ability shall still be recognized in remote future ages—there are but one in a million.—Francis Galton, *Hereditary Genius*, pp. 9, 10. London, 1892. When a family begins to rise, in point of intelligence, above the low general level about it, it soon falls back, through the mating of its members with individuals from the surrounding mediocrity. Occasionally mental ability continues to increase for three generations, but it then almost invariably stops, begins to decline, and after three generations more has sunk to its former level.—Otto Ammon, *Die natürliche Auslese beim Menschen*, p. 56. Jena, 1893.

interference *to an unwise degree* with the ordinary course of nature, a penalty for the misuse of our intelligence.

There can be no well-being for an organism but through its nice adaptation to its environment. Such an adaptation we had, doubtless, in the remote past, but we have it no longer. For the lower animals, nature has secured adaptation through selection: the fittest have survived, and these, at each successive stage, have come very near to the perfection then possible. For our earliest ancestors we must believe that nature made similar provision. But as men rose to a higher level of intelligence and united into societies, they began to make for themselves an artificial environment, which grew ever more complex, more many-sided. The valuable principle of coöperation was gradually introduced, but not always applied wisely; and through its misuse the salutary working of natural selection was often, in great measure, set at defiance. When a man, although ill-adapted to the *natural* environment, presented a fairly adequate adjustment to certain of the many sides of that which was *artificial*, society often came to his support, paid for him as it were his natural debts, secured his survival, and favored the continuance of his kind. But the sanction thus purchased for many an unworthy life has often proved a curse both for the race and the individual.

Many persons see in the present fermentation of civilized society the signs of approaching disintegration. Society, they say, is an organism which, like

all others, has its stages of infancy, youth, maturity, old age, and final dissolution, and we now, as a people, find ourselves in the stage of senile decay. This view seems to have support in the history of earlier civilizations, as of Assyria, Babylon, Persia, Greece, and Rome; but that such a fate is inevitable may well be questioned. It has been contended, of late years, by Weismann<sup>1</sup> that the lowest of animals, the protozoa, are potentially immortal; that they have no inherent tendency toward natural death, but that if unmolested by extrinsic or accidental agents of destruction they will live forever. That in this matter Weismann is right, appears very probable. In like manner, as we may believe, a social organism may be potentially immortal; but it must be adequately self-regulative. It must have the intelligence to recognize, and the courage to prune away, all the outgrowths which are very weak or morbid. Had the great empires of antiquity possessed this enlightenment, it is probable that they would not have perished.

During long ages, the very weak of human kind have been generally left to shift for themselves, while the very vicious have been met by the most cruel attempts at repression. Toward the close of the last century, a kindlier policy began to dawn, and a more humane spirit was infused into our dealings with defectives and criminals. But not yet has philanthropy grasped a conception of the true cause of human evil, nor laid the axe at its root. Indeed,

<sup>1</sup> Prof. August Weismann, *Ueber die Dauer des Lebens*, p. 33 et seq. Jena, 1882.

of late years, the humanitarian current has set so strongly toward sentimentalism as to endanger not only human progress but the very existence of society. In these days, the hopelessly weak are received as a special charge from Heaven and, to the sad detriment of their more promising brothers, a double portion of wealth and affection is lavished upon them; while of the criminal it is hardly an exaggeration to say that he is regarded as a being whom society must reform, though ninety-and-nine just persons thereby severely suffer.

As wealth and knowledge increase in our civilized communities, the sentimentalist becomes better equipped for the purposes of his mischievous philanthropy, and unwittingly adapts as subtle instruments of destruction those means by which civilization should gradually be perfected. A marked instance of such a tendency was recently supplied by one of our reformatory prisons for women. It was proposed to provide this institution with an "incubator"—a very modern life-saving device—in order that the prematurely born children of the criminal inmates might be wrested from that beneficent extinction planned for them by judicious and kindly Nature. Not only are the offspring of such women grossly tainted, as a rule, through their vicious parentage, but their premature birth has added thereto a vital enfeeblement which, alone, would usually handicap them in the race of life. Such a strenuous effort to conserve and multiply the defectives who curse our race appears not only unnecessary but inhuman. Fortunately, in the case

mentioned, the injudicious proposition did not meet with general approval among the managers of the institution, and was abandoned. By our undue fostering of the weak, not only are the strong injured, but we aggravate the burden to be borne by our posterity; and through our indiscriminate efforts toward reclaiming the criminal, we waste our strength upon individuals who, by their very nature, are insusceptible of reform. Says Herbert Spencer: "There is no greater curse to posterity than that of bequeathing them an increasing population of imbeciles and idlers and criminals. To aid the bad in multiplying is, in effect, the same as maliciously providing for our descendants a larger host of enemies."

It was said, a few years ago, by a man justly eminent and widely beloved: "What is the prisoner in his cell? A man, just the same as you or I. . . . What man has been, what man intrinsically is, he may be." Here is the false premiss upon which rests much of the unfortunate reasoning and disastrous practice of the sentimental philanthropist. The prisoner is but *seldom* "a man just the same as you or I." The habitual criminal is not at all the kind of being of whom we think when we talk of, and plan for, the spread of liberty, equality, and fraternity; in his very essence, he is unchangeably incompatible with such privileges and with all higher life. Through the selfishness of his motives, and his feeble self-control, he is a creature whom we cannot admit to coöperation with us, one whom we must ever mistrust and fear.

To the influences which move the average man to repentance and uplift him to higher endeavor, the low-grade "defective," whether weakling or habitual criminal, is organically deaf and blind, and that within him which should be a warm and sympathetic human heart is usually, through the unalterable structure of his being, senseless as stone. It is not *true* that what man has been this defective creature may be. The laws of his existence and development are very different from those of the "normal" man, and this fact must have constant recognition in the practice of our philanthropy. We must distinguish two human types: one characterized by intellectual apathy or complete imbecility, feebleness or absence of moral sense, indolence, lack of self-restraint, and intensity of brutal desires; the other, by intelligence, sensitive conscience, energy, self-control, and capacity for love and self-sacrifice. These types often blend, but our knowledge of defective man has so broadened and deepened, within the recent years, that we are now in a position to discriminate, with a fair degree of precision, between the individuals who are susceptible to the ordinary influences of incentive and restraint and those whom, for practical purposes, we must regard as outside the pale of society.

It is not the mere wearing of a human form which truly indicates a man. The idiot and the low-grade imbecile are not true *men*, for certain essential human elements have never entered into them, and never can; nor is the moral idiot truly a man, nor, while the sad condition lasts, the lunatic. These

beings live among us as men, but if we reckon with them as human we shall fare much as if we bargained with the dead or with beasts of prey. It is a most depressing revelation that there are beings of like form with ourselves whom we can never treat as brothers, against whom, for our very life, we must exercise perpetual vigilance; but such being the fact, it behooves us, not only for our own safety but for that of our posterity, to adjust ourselves speedily to this knowledge.<sup>1</sup>

Our courts of law are so subject to the sentimental influence of the day that they often obstruct rather than dispense justice. They regard very tenderly the rights of the criminal but forget those of the victim and of the community. A mere legal technicality suffices to save many a miscreant from the sentence most clearly merited. Thus, a man was recently indicted for murder in Texas, having killed

<sup>1</sup> "Seven Russian exiles or prisoners who had escaped from Siberia and had undertaken to cross the Pacific in an open boat were picked up at sea, two or three years ago, and brought to San Francisco, where they became objects of sympathy, owing to the prevailing belief there and in other parts of the country that they had been punished unjustly for 'political' offences. They were clothed and fed by the charitable, and enabled to earn a living by honest work. Our neighbor, *The Tribune*, in its correspondence from San Francisco, shows how the good people who befriended these men were misled. It appears that these Russians had been sent to Siberia for crimes that would have exposed them to punishment not less severe in this country, and in California they resumed their criminal practices. All of them have served time in the prisons of the State. One of them was hanged recently for an atrocious double murder, and the only member of the gang who was not suffering punishment was sent to the penitentiary for twenty years, last week, for burglary."—*New York Times*, Oct. 26, 1896.

a man, woman, and child in the most atrocious manner. His guilt was so clear that he attempted no defence but offered the plea of guilty, hoping thus to escape the extreme penalty. The jury's verdict required the death sentence, but was set aside by the Court of Appeals—upon a mere technicality.<sup>1</sup> A negro, in Alabama, "killed a woman some five years ago. For that crime, through mistrials, reversals, and so on, he enjoyed six trials. At the first he was sentenced to death; at the second to life imprisonment; at the third to fifty years' imprisonment; at the fourth to twenty years' imprisonment; at the next to ten years', and now he has been acquitted altogether."<sup>2</sup> It is said that of six hundred cases of murder defended by a certain New York lawyer, scarcely a score were punished.<sup>3</sup>

Sentimentalism displays itself frequently in the management of our prisons. In many of these the food, shelter, and amusement provided are so attractive that numbers of the inmates have committed crime merely to obtain comforts they were unwilling or unable to earn by honest exertion. In such cases our penalties have been transformed into rewards of criminal misconduct.<sup>4</sup>

Another manifestation of sentimentality is given in the reckless abuse of the pardoning power vested in our State governors, although, undoubtedly, such corrupt practice is often to be explained rather through a deliberate intent to win political support

<sup>1</sup> New York *Evening Post*, July 11, 1896.

<sup>2</sup> Boston *Evening Transcript*, Aug. 30, 1897.

<sup>3</sup> Dr. G. F. Shradley, *Arena*, ii., 517.

<sup>4</sup> Appendix 1.

from the vicious classes than through sentimentality. Of a certain governor, notorious through his leniency toward criminals, it is said that among the delegates in the convention which renominated him there were thirty-six convicted burglars, eighty-four persons who had been convicted of petty theft or disorderly conduct, two convicted pickpockets, and seven men who had been in prison for murder or manslaughter.<sup>1</sup> A recent governor of Tennessee, during his four years of office, pardoned 801 convicts, many of them murderers, and a recent governor of New York, during his last month of office, pardoned fifteen criminals, two of whom were murderers serving a life-term.<sup>2</sup> Of another governor it is said, that he granted pardons in thirty-eight cases of murder or manslaughter, and that the names of the convicts for whom he decreased the term of imprisonment were sufficiently numerous to fill a newspaper column in fine type, closely printed.<sup>3</sup> According to a recent investigation, it appears that in Wisconsin thirty-three per cent. of the life-prisoners are pardoned, in Ohio, forty per cent., in Massachusetts, fifty per cent., and in New York, sixty-three per cent. In Massachusetts, the average time served by these pardoned life-prisoners is only six and one-quarter, and in New York, only six and one-half years.<sup>4</sup> A courageous nobleman said to Louis XIV., relative to a criminal finally executed after committing twenty murders: "This man has only committed

<sup>1</sup> New York *Times*, October 30, 1896.

<sup>2</sup> Dr. Andrew D. White, "Report of Address," New York *Times*, April 11, 1896.

<sup>3</sup> New York *Times*,

<sup>4</sup> Washington *Post*, April 30, 1897.

one murder, the first, and it is you who, by letting him live, have committed the other nineteen.”<sup>1</sup> So modern society often becomes a partaker in crime through its sentimental leniency.

Civilized society, in its reaction from old-time severity, is now swinging far beyond the middle point of safety toward the extreme limit of indulgence, and this alarming indication is especially noticeable in the United States. The sentiment of altruism is becoming a great factor in the shaping of human destiny, and this is well; but if it be not controlled by reason it will work even worse disaster for the race than has ever been wrought by selfishness. There is no surer means of spoiling a child than the influence of weakly indulgent parents, and in society at large the influence which we have most to fear is a spreading phase of sentimentalism, mis-called philanthropy.

Dugdale, in his remarkable book—*The Jukes*—published about twenty years ago, plainly demonstrated the merely palliative character of our whole system for the treatment of vagrancy, drunkenness, prostitution, and crime. According to a man of wide experience in charitable work, “So-called charity joins public relief in producing still-born children, raising prostitutes, and educating criminals.”<sup>2</sup> Says another writer: “After centuries of experience and experiments, we are finally obliged to come to the conclusion that our judgment was at fault, that we have erred in our calculations, that

<sup>1</sup> Havelock Ellis, *The Criminal*, p. 237. London, 1895.

<sup>2</sup> O. C. McCulloch, *Tribe of Ishmael*, 3d edit., 1891.

the basis of our penal system, judicial and executive, is imperfect and deceptive, powerless to uphold the weighty structure of civilization confided to its support."<sup>1</sup> A striking indication of the spreading uneasiness is given in a bill recently introduced into the Ohio legislature, whereby it was proposed that all candidates for marital union should be required to undergo examination, and marriage be forbidden to such persons as shall be believed, through actual condition or hereditary tendencies, to be unfit for the function of parentage. "The enormity of the evils of degeneracy, the necessity for measures to control them, and the fact that they can be controlled, in a degree, is beginning to dawn upon the public, which is now in a receptive condition and awaiting further authentic light."<sup>2</sup>

During the present century, society's main bulwark against crime has been the prison, but we are now beginning to learn that the deterrent influence of imprisonment has been very greatly overestimated.<sup>3</sup> It appears highly probable, indeed, that the prison, in the case of the majority of offenders, not only fails to reform but even hardens, and insures, after release, a continuance of the criminal

<sup>1</sup> W. P. Andrews, *Forum*, xii., 248, 1891. <sup>2</sup> F. M. Powell, M.D.

<sup>3</sup> We sentence men to prison for periods arbitrarily determined, and then turn them loose upon the community without regard to the mischievous subsequent life which we may expect of them. It is "as if all mad dogs were muzzled for twenty-four hours and then all unmuzzled, because it had been found that in that period a certain portion ceased to be dangerous; or as if all smallpox patients were discharged from hospital so many weeks after reception, whether cured or not."

life.<sup>1</sup> In every prison, more than one-half of the inmates have been imprisoned before, and many of them have been recommitted five or ten times, or even more often. "Of all the schools of vice," says an eminent French authority, "the prison is unquestionably the most dangerous. When a man has been two or three times in the prison of Paris or in the '*maisons centrales*,' we can have no further hope of him: he is a gangrenous member to be cut away forever from the social body." <sup>2</sup> Nor is the deterrent influence of capital punishment more efficient, except as upon those who actually suffer this extreme penalty. Among 167 criminals condemned to death in England, 164 had witnessed executions.<sup>3</sup> Within forty-eight hours after the hanging of three murderers in Chicago, a few years ago, two men died in the city as victims of murderous assault, and a third, being assaulted, escaped death by mere accident.<sup>4</sup> An abundance of such evidence might be cited.

Our greatest hope for the reduction of crime is thought by many to rest upon the intelligent and benevolent care now given to the training of wayward and homeless children; yet even in this case, as Kurella says, the ineradicability of inborn tendency is the rock upon which the optimism must split that looks for any *great* diminution of crime through such means. The larger number of orphaned

<sup>1</sup> Cf. W. D. Morrison, *Juvenile Offenders*, pp. 236, 272-273. New York, 1897.

<sup>2</sup> Lacassagne. Quoted by Dr. E. Laurent, *Les habitués des prisons de Paris*, p. 592. Paris, 1890.

<sup>3</sup> Lombroso, *L'homme criminel*, p. 334. Paris, 1887.

<sup>4</sup> A. J. Palm, *The Death Penalty*, p. 125. New York, 1891.

and homeless children who become a public charge are the offspring of insane, drunken, vagabond, or criminal parents, and to expect their development into honest and useful citizens is usually to look for grapes upon thistles. All manner of reformatory schemes are tried; almost all recite a number of cases where very bad children have become very good; and it is fondly believed that in due time, with some improvement of methods perhaps, even the very worst will be satisfactorily transformed. But the truth seems to be that the children who are reformed were naturally of good instincts, astray simply through neglect and evil example, while of those unreformed many were innately criminal—unfit for an honest and moral environment, and, in spite of all human endeavor, quite incorrigible.<sup>1</sup>

A certain measure of progress in the rational and humane treatment of "defectives" and criminals has now, however, certainly been instituted. Idiots, imbeciles, epileptics, and the insane are being more carefully gathered into asylums, and the idea of permanent detention for such of these individuals as are incurable is fast finding general acceptance. In the treatment of criminals, the idea is gradually

<sup>1</sup> It must be remembered that when a child has one good and one vicious parent, it may inherit predominantly through either. If both parents be vicious, the child may inherit a good character through some grandparent. Hence, when a child of vicious parents is taken from them at an early age—before its true nature has been revealed—and a good character appears at the end of a careful training, we can by no means claim that this is an instance where a favorable environment has eradicated a vicious inheritance.

spreading that reformation is better than punishment, and the reformatory is slowly replacing the prison. The results of the best reformatories have been encouraging; but there remains always a large percentage of individuals who pass through such institutions with no evidence of reform. To obtain some conception of what is being actually accomplished in this direction, let us take as examples two well-known institutions based upon the most humane and enlightened principles—the Lyman School for Boys, at Westborough, Mass., and the Reformatory Prison at Elmira, N. Y.

The Lyman School receives, by commitment of court, boys under fifteen years of age guilty of offences not punishable with death or imprisonment for life. The school was founded in 1846, but it is only in recent years that the best modern methods have been introduced. The boys are always committed for the term of their minority, but at the discretion of the trustees they may be released on probation, and are then subject to recall or transference to the Massachusetts Reformatory at Concord, if their conduct require it. The following table<sup>1</sup> shows the condition of all boys on probation up to Oct. 1, 1898:

Doing well.....	526 or 72½ per cent.
Not doing well.....	18 or 2½ per cent.
Have been in some other penal institution.....	101 or 14 per cent.
Out of the State.....	28 or 4 per cent.
Whereabouts and condition unknown.....	48 or 7 per cent.

<sup>1</sup> *Report of Trustees for 1898*, p. 40.

Analyzing this table, we may reasonably assume that the majority of those boys whose whereabouts and condition are unknown have not been doing well; for, upon leaving the school, they were placed somewhere at service where they might be under the supervision of representatives of the school, and if they disappeared from such places of service and gave no information of themselves it appears probable that they returned to evil ways. If now, disregarding the boys "out of the State," we estimate that only one-half of those whose whereabouts and condition are unknown have turned out badly, and add their number to that of the boys who are "not doing well," and of those whose conduct has brought them into other penal institutions,<sup>1</sup> we obtain 20 as the percentage of those who have not been reformed. If we were able to follow the career of these boys beyond the period of the school's direct, or indirect supervision, we should probably find, that the percentage of those relapsing into criminal ways is much greater than the estimate just given. We have evidence<sup>2</sup> pointing clearly in this direction. Thus, while the general average for the boys whose behavior during probation brings

<sup>1</sup> It should be mentioned, perhaps, that of the boys recorded as having been in other penal institutions, a considerable number have been sent there through transfer by the Lyman School Trustees. The percentage is thus greater, no doubt, than if such commitments were effected only through arrest by the police and decree of the courts, yet such transfer is clearly an admission by the Trustees that the Lyman School methods are inadequate for the reformation of the boys in question.

<sup>2</sup> *Report of Trustees for 1898*, p. 41.

them into other penal institutions is 14 per cent., the percentage of those incurring this penalty among such as have been on probation for a year or more is 17, and of those on probation for two years or more, 18. Then, again, of probationers in their nineteenth year, 21 per cent. were committed to other penal institutions, and of those in their twenty-first year, 31 per cent. The following table,<sup>1</sup> presenting the condition of all probationers in their twenty-first year, is very discouraging, for at least 38 per cent. have, in reality, not been doing well.

Doing well.....	69 or 58 per cent.
Not doing well.....	4 or 3 per cent.
Have been in other penal institutions	37 or 31 per cent.
Out of the State.....	3 or 2 per cent.
Lost track of :	
Doing well at last accounts.....	3
Not doing well at last accounts...	4
	- 7 or 6 per cent.

It should be remembered that a large number of the boys at the Lyman School are not *innately* vicious, but have fallen into criminal ways simply through neglect and an evil environment: they improve at this school as they would have done in any ordinary home had they been subjected to a fairly good training. This consideration makes it appear probable that the reformatory influence of the school upon the innately vicious is much less than we might infer from the statistics. We must believe then of the Lyman School, and of all others of its kind, that

<sup>1</sup> *Report of Trustees for 1898*, p. 41.

a large percentage of vicious boys undergo the best training which can as yet be offered, and are still unreformed: they go out into the world to swell the number of criminals.<sup>1</sup>

The State Reformatory at Elmira, N. Y., is a penal institution which has received world-wide and well-deserved praise. It serves for the reception of "males between the ages of sixteen and thirty years, who have been committed to it under an indeterminate sentence for felony. The method of treatment seeks to fit these men for free life again by physical, mental, moral, and industrial training."

The institution was opened in 1876, and the latest *Year Book*<sup>2</sup> states that, since that time, 8829 criminals have been received as inmates, of whom 7.5 per cent. have "probably returned to criminal practices and contact."

This estimate as to the number of the unreformed cannot, in the nature of things, be made with any degree of accuracy. For if a criminal conduct himself well while in the institution and during the period of parole which precedes his absolute release, and still more if his behavior be satisfactory for some time after this latter event, he must be classed among the "reformed." But this improvement in conduct by no means necessarily shows that there has been a true moral change, but can be fully accounted for on the supposition that the criminal has determined upon a new course of action merely because, amid his new environment, such a policy is more agreeable to himself. It must be admitted by all that a

<sup>1</sup> Appendix 2. <sup>2</sup> For the year ending Sept. 30, 1898, pp. 20 and 25.

man may do the thing which is right—deeming such action to be to his advantage—and still have no appreciation of right *as* right. He may be of the densest moral obtuseness and yet, if intelligent, may so comply with the nicest distinctions between right and wrong as prescribed by law and public opinion that his irremediable moral deficiency may never be suspected. And, withal, the man is utterly without scruple, and is a constant menace to society. That this consideration must apply to many of the supposed cases of reformation at Elmira is strongly suggested by a comparison of the following tables, given in the latest *Year Book* of the institution<sup>1</sup>:

(a) *Susceptibility to moral impressions (estimated):*

Positively none.....	3203 or 36.3 per cent.
Possibly some.....	3432 or 38.9 per cent.
Ordinarily susceptible.....	1814 or 20.5 per cent.
Specially susceptible .....	379 or 4.3 per cent.

(b) *Moral Sense (even such as shown under examination, either filial affection, sense of shame, or of personal loss):*

Absolutely none.....	2618 or 29.7 per cent.
Possibly some .....	3686 or 41.8 per cent.
Ordinarily sensitive.....	2022 or 22.9 per cent.
Specially sensitive.....	501 or 5.6 per cent.

*Natural Mental Capacity:*

Deficient.....	89 or 1.0 per cent.
Fair (only).....	1186 or 13.5 per cent.
Good.....	7026 or 79.5 per cent.
Excellent.....	526 or 6.0 per cent.

<sup>1</sup> P. 28.

If the examination of this large number of criminals shows 29.7 per cent. to have absolutely no moral sense and 41.8 per cent. only possibly some, and if, on the other hand, 79.5 per cent. have good mental capacity, while in 6 per cent. it is even excellent and in 13.5 per cent. fair, and deficient in only 1 per cent. we cannot, in the light of modern knowledge, believe otherwise than that often, when a case of reformation is reported among the 29.7 per cent. of no moral sense, or among the 41.8 per cent. of possibly some—that is among the 71.5 per cent. who present little or nothing upon which we may build a hope—the reformation is *not* the true thing, not a change of heart, but a mere change of conduct based upon an enlightening of selfish motive.

“The criminal returns of almost every country in Europe show that the percentage of well-conducted prisoners in penal institutions was never higher than at the present time. But unfortunately the same returns show that the proportion of prisoners who return to a life of crime after their release was never so great as it is now.”<sup>1</sup> In other words, the good conduct of a criminal while in prison is of very little value as an indication of the kind of life he will probably lead upon recovery of his freedom.

To any one aware of the frequency of grave physical and mental defects among criminals, it cannot seem strange that they should so often continue absolutely incorrigible. The hysterical, the epileptic, the insane, and the morally imbecile are, as a rule, utterly incapable of true reform. A reliable

<sup>1</sup> W. D. Morrison, *loc. cit.*, p. 234.

authority says of hysterical criminals: "Punishment has only a transitory influence upon them—just for the moment: in one minute they forget the sufferings of the week or two in the dark cell, and begin again their eccentricities."<sup>1</sup> The epileptic's impulse toward crime is often perfectly irresistible; indeed, the criminal act may be accomplished during a condition of unconsciousness, and no knowledge of what he has done ever come to the perpetrator. It is evident that criminals of this kind cannot be reformed by moral suasion or judicial penalties. The utter disregard of consequences which usually characterizes the actions of the insane is a matter of familiar knowledge: very often the lunatic murders a series of innocent victims and then, by taking his own life, successfully evades all punishment. Toward softening the flint-like obduracy of the moral imbecile all remedies remain unavailing. We may in some measure restrain, but can never reform him.

The general public has not yet grasped the truth, now so well established, that "moral sense," like every other mental capacity, requires a fitting basis of brain-structure, and that if this has never existed, or has been destroyed by disease, a moral sense is impossible. Every one will admit that there are individuals who have no "ear for music"—none of that special structure of ear and brain through which alone an appreciation of music is possible—and that these persons can never develop such a capacity, every rudiment of it being absent. In like manner,

<sup>1</sup> Dr. E. Laurent, *Les habitudes des prisons de Paris*, p. 248. Paris, 1890.

the condition of color-blindness is incurable. And so, too, it will not be denied that a moral sense, along with intellectual capacity, may in spite of our best efforts remain entirely absent in idiots, and be but feebly discernible in certain imbeciles. But it appears very difficult for people generally to believe that an individual may have a fair, or even high, degree of intelligence and yet be an idiot of a special kind—a person with a brain so defective in a special realm that the corresponding function of moral sense is impossible—a moral idiot. Yet this doctrine now rests invincibly upon mental physiology and pathology. To the degree, then, that the examination into the moral capacity of these Elmira criminals has been trustworthy, to that degree may we affirm the hopelessness of true reform for 31.8 per cent.—the lowest grade of moral idiots, and the mere possibility of true reform for 39.5 per cent—likewise moral idiots, but of a grade somewhat less low.

Respecting the majority of the Elmira criminals, it appears that their *intelligence* is amply sufficient to account for an *apparent* reformation, but for a *true* reformation their *moral* endowment is utterly inadequate. Says Herbert Spencer: "Creeds pasted upon the mind, good principles learnt by rote, lessons in right and wrong, will not eradicate vicious propensities; though people, in spite of their experience as parents and citizens, persist in hoping they will."

It may be said that this apparent reformation is not only much better than none, but that while it

continues, the former criminal may be no more hurtful to society than many an individual whose good name has never been attained. This may be true, yet on the other hand, the potential danger of the criminal is intensified, because masked. At all events, the important fact remains undoubted that there are certain criminals whom our best reformatories cannot truly reform—probably a much larger number than would be generally admitted—and further, that those who undergo an apparent reformation may, at any time, decide that their new course does not pay and, thereupon, revert to the old paths of crime. Still more—even when the pseudo-reformation lasts throughout life, the former criminal generally bears with him a capacity to perpetuate the vicious stock from which he has usually sprung. In the case of the criminal incapable of true reform, we may feel morally sure that he has come of a degenerate line, and that if he have offspring some measure of his innate viciousness will be transmitted.

With a certain percentage of criminals, then, our best efforts fail to reform; and if, after a period of training and seclusion, they be let loose upon society, they will return to their old life of wickedness, and multiply their kind.

For the preservation of society as against these hardened offenders, many procedures have been suggested, but the one receiving the most enlightened approval appears to be that of perpetual detention.<sup>1</sup> This plan, however, for the detention of

<sup>1</sup> The surgical operation enthusiastically advocated, from time to

a large mass of the very worst men alone has not yet been tried, and we have strong grounds for believing that it is impracticable. These incorrigible criminals are implacable enemies of society: where shall we place them that we may be secure against their untiring malevolence? That they should be removed from civilized lands to some remote corner of the earth can no longer be advised, after the transportation experience of England, France, Italy, and Russia. They must, apparently, be kept with us. The number of these incorrigibles is very great, and when we receive them into their places of detention, they will not constitute a shifting population such as we have in other prisons, but the multitude received must remain until death, their number being constantly reinforced by new arrivals. The number and size of the prisons which these people will require are appalling. The cost of these expensive structures, and of the feeding and clothing of the many inmates,—there being but little return in the way of work from men unwilling and incorrigible,—the wages of so great a number of keepers, and the withdrawal of these from the ranks

time, as the appropriate penalty for such offenders, I cannot approve. 1. As a *deterrent*, I believe that it would have no greater efficacy than certain other penalties, for the reason that criminals are generally less capable than even the average man of profiting by the painful experiences of their fellows. 2. The operation would not reform, could not be repeated, and for the subsequent control of the criminal we should have to depend upon the methods now in vogue. 3. The procedure seems less humane than the death-penalty, because it would entail in many cases a cruel and lasting sense of shame—which we should not desire unless *vengeance* were our aim, while in others it would induce insanity.

of wealth-producers, would together make of the plan, to the public mind, a thing most unacceptable.

In our present prisons, the great majority of the inmates look forward to a time of release, and, realizing that this will be deferred by bad behavior, they have a motive for self-control; in the case where none have this outlook, where all are conscienceless, where all know that while they live their wills must bend before those of the masters appointed by society, and where every means has already failed to check depraved and dangerous tendencies, we should anticipate a pandemonium, unless very cruel measures of repression were constantly used.<sup>1</sup> Already, we often find that when a criminal has been put in a place of supposed safe-keeping, he is not only insusceptible of reform but, in spite of our cautious custody, renews his depredations upon his fellows. While he lives, his malevolence continues irrepressible. Thus, a man shot another, was adjudged insane, and committed to a criminal asylum. Here he killed another man, made repeated attempts to assault the governor of the institution and, finally, with the assistance of another patient, indirectly caused his death. When reasoned with, this criminal lunatic replied: "What harm can it do me? I killed a man before and am already in this asylum."<sup>2</sup> A criminal with, it is said, ninety-three indictments against him for burglary at the time of his conviction, was sent to Auburn Prison with a life sentence. He tried to burn the prison, was adjudged insane, and transferred to the Matteawan Asylum for insane

<sup>1</sup> Appendix 3.

<sup>2</sup> *Mental Science*, xl., 596, 1894-95.

criminals. Here, again, he tried to burn his prison, lighting fires in five different places at once, with much ingenuity, and a great loss of life was narrowly averted.<sup>1</sup> It is well known with what constant watchfulness the criminal condemned to death now needs to be controlled, and it will be quite as necessary that the guards who maintain discipline among these convicts bereft of hope shall constitute a similar "death-watch"—but gigantic and perennial.

We must think, too, of the brutalizing effect of their work upon the many men acting as keepers. Their intercourse with these dangerous criminals would have nothing of kindliness about it: on the one side there would be dogged antagonism and hatred, on the other fear and the constant infliction of cruel punishment; and the toleration of these halls of torture could hardly fail to debase the sense of humanity in the world outside. Speaking of the imprisoned criminal, a well-known authority says: "His will is obliterated, his powers of decision and action are reduced to a nullity. . . . For the time being the world is dead to him . . . he is shut up within the narrow horizon of his own disordered imaginings; he lives and breathes in a polluted atmosphere of monotony, solitude, and gloom. . . . His social sympathies are repressed and starved. . . . The human element in the prisoner's life is reduced to a minimum; he is only allowed to retain the instincts and faculties which he has in common with solitary birds and beasts of prey."<sup>2</sup>

<sup>1</sup> New York *Herald*, Jan. 25, 1896.

<sup>2</sup> W. D. Morrison, *Juvenile Offenders*, pp. 271-2. New York, 1897.

Prison life is often more cruel than generally supposed through the fact that the prisoner is so often insane. It is well established that insanity is more frequent among criminals—especially the inmates of prisons—than among people at large, which is really explicable through their degenerate ancestry and vicious lives. Laurent, an undoubted authority, regards the number of criminal insane as much larger than represented by statistics. “In three cases of insanity, only one, at most, is recognized and noted in official statistics; the others pass unmarked . . . most frequently it was by the merest chance that I discovered these unfortunates, . . . but how many others raved in their cells whom I have never seen!”<sup>1</sup> Most of them serve their full term in prison, where, like the epileptic and hysterical cases, they serve as playthings for the other prisoners, who provoke their hallucinations and enjoy their terrors, excite them purposely, and then laugh at their anger and their tears.<sup>2</sup>

Through the plan of perpetual detention we should make of these miserable captives life-long slaves, we should take from them every means of enjoyment, and what appears to them the sweetness of life would be a thing gone forever. That, with their congenitally defective natures, these victims of perpetual imprisonment should continue to live thus entombed in torment we cannot reasonably regard as of any profit to them now nor in the

<sup>1</sup> Dr. E. Laurent, *Les habitudes des prisons de Paris*, p. 276. Paris, 1890.

<sup>2</sup> *Ibid.*, p. 287.

hereafter. A plan so cruel could hardly, in this altruistic age, find general adoption.

There is a feature of this proposed perpetual detention having an important bearing upon its practicability, which I cannot but mention. The strongest of all human motives (with occasional exceptions) is the desire for life. The next strongest (also with exceptions, which are very rare among the degraded) is the sexual desire. Now, these incorrigible criminals have given themselves, for many years, to the gratification of this instinct, and have intensified it by habit until it has become an irresistible need of their life. Suddenly they find themselves in a life-long prison, with the satisfaction of their greatest need denied them forever.<sup>1</sup> Will these untamed tigers submit like lambs to this torturing privation? This phase of prison-life cannot be laid bare to the general public, but it exists, and must constitute a grave factor in any wise consideration of a plan for the life-custody of incorrigibles.<sup>2</sup>

There can be no doubt but that a satisfactory solution of the great problem of crime still remains to be evolved. "Crime can no more be reduced by punishing (or even reforming) the criminal, than an epidemic of smallpox can be stopped by curing its victims. The criminal is a product, and crime can be decreased only by stopping the production."<sup>3</sup>

<sup>1</sup> The sudden passage from a licentious life to the restraints of prison is recognized as one of the exciting causes of insanity, so common among convicts.—Dr. E. Laurent, *Les habitudes des prisons de Paris*, p. 274. Paris, 1890.

<sup>2</sup> Appendix 4.

<sup>3</sup> W. F. Spaulding, *Forum*, xii., 666.

"What we most want is the curative principle. . . . The defensive system we know something about—but as to the curative one we are still in the dark."<sup>1</sup> It is in the hope of throwing more light upon this great question, and as an exhortation to more rational and more hopeful activity in our measures for the elimination of weakness and the suppression of vice, that the present book has been written. It is by no means a pessimism which I am about to preach.

<sup>1</sup> Reviewer of Ferri's *Criminal Sociology*, *New York Times*, Feb. 29, 1896.

## CHAPTER II

### THE DARK SIDE OF HUMAN EXISTENCE

**W**E shall now do well to portray for ourselves some of the more prominent phases of human wretchedness. Let us occupy ourselves first with poverty, that oldest of evils.

The earth is a storehouse of inexhaustible treasure from which, however it has been in the past, the men of to-day may draw a sufficiency for the comfort and happiness of each individual. There is no lack of the crude material of wealth; yet poverty is the fate of the great majority of our race. Many writers have sought for, and thought to have found, some single cause for poverty, but the only cause which we can reasonably regard as constant is that fundamental one—defect in the minds or bodies of men. Neither over-population, nor the greed of capitalists, nor intemperance, can be justly regarded as the sole root from which poverty grows; we shall never have swept this evil away until we have changed the mental and physical aspect of human nature. Many men are deficient in intelligence or in bodily vigor, many are incorrigibly lazy,<sup>1</sup> many

<sup>1</sup> The number of tramps in the United States is estimated to be from 90,000 to 100,000, of whom about four-fifths are under fifty

are prone to sickness, many of good capacity constantly mar their efficiency through their vices; men are basely selfish, unworthy of each other's confidence,<sup>1</sup> jealous of each other's success, not only indisposed to co-operate, but often, through their mutual antagonism, completely neutralizing each other's efforts, or even finding pleasure in destroying the products of one another's labor. With such unsocial traits of character, how can humanity prosper? Were, under such circumstances, the riches of the world increased tenfold, there could hardly be any amelioration of human poverty.

Very instructive, in this connection, are the records of loss through the disagreements inducing strikes. In the United States, from January 1, 1881, to June 30, 1894, there were 14,389 strikes, affecting 69,166 establishments; if we include lockouts, the latter number rises to 75,233. During these thirteen and one-half years, 4,080,921 persons were thrown out of employment through strikes and lockouts, and the aggregate loss to employees was \$190,493,173—an average wage-loss of \$2532 to the employees in each establishment. The loss to employees during this period, from strikes and lockouts, was \$94,825,237. Combining these losses of employees and employers, we have as an aggregate \$285,318,410.<sup>2</sup>

According to the U. S. census of 1880, there were years of age and are able-bodied.—Geo. C. Bennett, *Paupers, Pauperism, and Relief-Giving in the United States*, p. 14. New York, 1896.

<sup>1</sup> Appendix 5.

<sup>2</sup> *Tenth Annual Report of U. S. Commissioner of Labor* (1894). Strikes and Lockouts, i., 31.

66,203 inmates in our almshouses, the last refuge<sup>1</sup> for our most abject paupers; and by that of 1890, the number had risen to 73,045. The percentage in relation to the entire population of the country had slightly diminished, but this apparent relative improvement may be delusive, for the individuals subtracted from the almshouses may have been added to the prisons, or to the insane asylums, or to the ranks of the undetected and unnumbered criminals. The State governments of our country together expend about \$50,000,000 annually for charitable purposes—an average of nearly one million dollars each week.<sup>2</sup> Were we to add to this enormous sum the contributions of the innumerable charitable and relief-giving organizations, of the churches, and of private individuals, throughout the country, and to amplify our conception of the prevalence of poverty by definite knowledge of the alms bestowed in other lands,<sup>3</sup> the result would be very appalling. It is said that every morning in Paris there are fifty thousand persons who do not know how they will eat or where they will sleep.<sup>4</sup> Among the three or four million inhabitants of London, one in every five dies in jail, prison, or workhouse.<sup>5</sup>

<sup>1</sup> Appendix, 6.

<sup>2</sup> Geo. C. Bennett, *Paupers, Pauperism, and Relief-Giving in the United States*, p. 3. New York, 1896.

<sup>3</sup> London alone expends \$25,000,000 annually in alms.—Prof. Edw. S. Morse in *Pop. Sci. Monthly*, August, 1892.

<sup>4</sup> Havelock Ellis, *The Criminal*, p. 298. London, 1895.

<sup>5</sup> Miss Besant, quoted by Prof. Edw. S. Morse, *Pop. Sci. Monthly*, August, 1892.

Another evil may now engage our attention—the evil of disease. Man is the most highly differentiated of all the earth's products; of all organisms, he is the most complicated. That there should often occur, therefore, some disproportion within his structure, or some break of harmony among his functions, seems hardly surprising. Yet we may reasonably infer, from the existence of individuals who pass from birth to old age unfretted by disease, that this latter is not an evil inevitably bound up with human fate. There are men to whom, if we exclude the reactions after injury and the degenerations of old age, disease is practically unknown; that they are so few is only by reason of our depraved inheritance.

The ravages of disease are appalling. According to the U. S. census of 1890, in a certain district<sup>1</sup> during a period of six years, 51,708 children were still-born—about *one-sixteenth* of the entire death-aggregate (846,383). During this same period, the number of the still-born in the city of New York was 18,862—about *one-thirteenth* of the whole death-aggregate (250,359). Vastly greater must be the number of those unrecorded human lives which wither while still in the stage of intra-uterine existence. Of the human beings born alive, even in so civilized a country as our own, more than one-third die before the age of five years has been attained.

<sup>1</sup> The census-district here mentioned comprised the "Metropolitan District" in New York, including the cities therein, the cities of Boston, Philadelphia, and Baltimore, the State of New Jersey, and the District of Columbia.

Thus we find from the census just mentioned that among 875,521 deaths, 307,562 were of children under five years of age. The sum of sorrow to the living and the loss to the ranks of the world's producers which these statements represent are deplorable.

We learn from the United States census<sup>1</sup> that in a population of 13,394,347 living in the registration States on June 1, 1890, 194,027 "were found to be so affected with various forms of disease as to be unable to follow their ordinary avocations." According to English statistics, "of a million persons born, 72,397 die between the ages of fifteen and forty-five as the result of phthisis . . . If we take the money value of each person aged fifteen to forty-five as £200 sterling, the pecuniary loss from phthisis alone is £14,479,400."<sup>2</sup>

We now come to a third grave evil—that of crime. There are innumerable individuals among us who cannot, or will not, conform to the principles established by society as absolutely essential to its well-being, and cheerfully adopted by the majority. The injury wrought by the criminal may be described as threefold: there is the constant anxiety, the increased wear and tear of life, entailed by the mere knowledge of his existence; the tremendous financial expense requisite to hold his nefarious deeds in some measure of check; and, finally, the actual damage dealt to property and the person.

<sup>1</sup> *Compendium of Eleventh Census*, Part II.

<sup>2</sup> R. Mayo-Smith, *Statistics and Sociology*, p. 177. New York, 1895.

The fear of the criminal is a constant shadow in our lives. As people of the past centuries lived in dread of witches and bogies, and of the devil, so we are painfully conscious that there lurk ever about us powers of evil, in human form, who may at any unexpected moment frustrate our plans, mar our property, or molest our persons. We live in continual unrest and distrust for, by day or by night, abroad or in the sacred retreat of home, even men whom we have long known and highly esteemed may suddenly unmask and do the deeds of demons. Many persons are so dominated by the dread of human maleficence that they fear to sleep in a somewhat isolated room or in one not specially protected. The intensity of this feeling in many persons and the amount of suffering which, in the aggregate, it entails upon the community are painful facts which usually receive but little consideration. However little may be our store of wealth if, in the hope of increase or with the purpose of enjoyment, we bring it to the light, we know that there are unseen hands everywhere waiting to grasp and wrest it from us. If we would use it at all, we must do so with great caution; we can seldom use our own with the freedom and boldness which alone might bring the fullest fruition. Amid the quiet of rural life, the thought of theft and malicious destruction often disheartens us as we set out our flowering plants and our fruit-trees; in the great city, as we seek to invest some portion of hard-earned savings, we are appalled by a Wall Street wreckage.

If it were not for herculean efforts to protect itself

from the teeming criminal, society would rapidly fall into dissolution. Let us try to form some idea of the financial expense of these efforts.<sup>1</sup> As private individuals, we must supply our homes and places of business with such defensive contrivances as locks, bolts, bars, and grilles, also perhaps with burglar-proof safes, electric alarms, pistols, and ammunition. As a community, we must protect ourselves by supporting a police-force and a militia; and as a defence against the criminal instincts of other nations—or perhaps their just indignation excited by our own criminality—we must fortify our harbors and coasts, and support an army and navy.<sup>2</sup> Consequent upon these necessities, there arise innumerable others, and accordingly we find ourselves compelled to establish and to maintain in perpetuity numberless courts of justice, reformatories, and prisons, and to distribute through the country, for the production of army and navy supplies, factories and arsenals.

<sup>1</sup> "The expense of conducting the penal and reformatory institutions, police department, and judiciary of the National, State, and local governments combined amounts to fully \$60,000,000 annually—5,000,000 each month."—Geo. C. Bennett, *Paupers, Pauperism, and Relief-Giving in United States*, p. 21. New York, 1896.

<sup>2</sup> Statistics recently published by the German Admiralty give the following as the naval expenditures of the several leading Powers for 1896-97 (New York *Evening Post*, April 25, 1898):

Great Britain.....	\$109,000,000	Russia.....	\$32,000,000
France.....	59,000,000	Germany.....	22,000,000
Japan.....	42,000,000	Italy.....	20,000,000
United States....	38,000,000		

The total expenditure for army and navy planned by Great Britain for the financial year beginning with April, 1899, is \$240,000,000.—*Ibid.*, March 4, 1899.

All of these contrivances and institutions are, in an economic sense, absolutely non-producing. Not only are they, intrinsically, an utter waste of money in their direct cost, but they abstract from the ranks of producers myriads of men, whose lives thus benefit society only as a counterpoise to the existence of the vicious. The thousands of policemen, soldiers, and prison-keepers, and the workers in countless factories, might turn their lives into intrinsically useful channels, were it not for the ubiquity and the intensity of crime.

We should now consider the most serious aspect of crime—the damage done to property and the person. The ravages of theft and the frequency of murder are matters of such every-day knowledge that they barely need mention; but certain less familiar phases of crime should here find portrayal.

There is a smouldering form of criminality, known as anarchism, which blazes at times into flame and reveals its dread possibilities. According to Dr. Aubry,<sup>1</sup> there were within six years 1615 anarchistic outbreaks—1113 in Europe and 502 in America, consisting of assassinations, bomb-explosions, incendi-arisms, etc. Thus, in Spain, February, 1883, there were within ten days thirty-two murders and eight incendiarisms.<sup>2</sup> In Chicago, May, 1886, four were killed and forty-two wounded.<sup>3</sup> In 1893, an explosion occurred in a steamer while upon the high seas, under very mysterious circumstances: the

<sup>1</sup> *La contagion du meurtre*, p. 256, 2me édit. Paris, 1894.

<sup>2</sup> *Ibid.*, p. 259.

<sup>3</sup> *Ibid.*, p. 260.

vessel was destroyed by the resulting fire, and fifty persons perished. About a month later, as another steamer of the same line still lay at its dock, an "infernal machine" was found secreted amid the cargo, so arranged as to explode after the vessel was well at sea, had it not been discovered. A few years ago, a man entered a restaurant in New York (Delmonico's), firing a revolver and crying, "Down with the rich!" Upon another occasion, a man ran through the streets crying, "I am going to dynamite the world!"<sup>1</sup> The following appeared in the German Socialist paper *Freiheit*: "Come, let's cut throats! Let our vengeance be terrible! Such should be the refrain of revolutionary songs." Such shall be the cry which shall inspire the Executive Committee, after the triumph of the proletariat. . . . Science supplies, to-day, the means whereby we may destroy elegantly and by wholesale this race of monsters."<sup>2</sup> In 1873, the Spanish Internationalists proclaimed: "If we lack the power to achieve our end, then will appear on the scene petroleum, the avenger whom the privileged classes dread. . . . A leveling down, if need be by fire and sword, is what is demanded by the dignity, so long trodden under foot, of the proletarian."<sup>3</sup>

Says a French judge: "I have been called upon to try a certain number of Anarchists, and I have noted in their words and writings an intensity of

<sup>1</sup> *La contagion du meurtre*, p. 280.

<sup>2</sup> Appendix, 7.

<sup>3</sup> Lombroso, quoted by Dr. Aubry, *loc. cit.*, p. 271.

<sup>4</sup> M. Louis Proal, *Political Crime*, p. 92. Eng. trans. New York, 1898.

hatred that is frightful. One of them gave servants the advice to avenge themselves on their masters by depraving their children. After the outrage in the Barcelona theatre, . . . an Anarchist paper wrote, 'Would not each one of you feel a thrill of feverish intensity in his heart if he heard the sputtering of capitalist fat and the howls of this mass of meat struggling in the midst of the immense fabric of fire?'<sup>1</sup>

One of the most cold-blooded of criminal manifestations is the ruthless act of the incendiary. It would even appear, from a recent series of trials, that incendiarism must now be recognized as a criminal trade, for the householder who wishes to swindle an insurance company can readily find experts to accomplish his nefarious desires. As a rule, however, incendiarism is due to a thirst for revenge, or to some obscure purpose in the mind of an imbecile. Almost every day, we read in the papers of extensive fires incendiary in origin, as in the following sample: "Second incendiary conflagration in Cripple Creek. Three persons killed, twenty injured, and nearly \$2,000,000 worth of property destroyed."<sup>2</sup>

An atrocious form of crime, and one which manifests itself with increasing frequency, is the wrecking of railway trains, for revenge or plunder. We read constantly of such events as the following: "A train wrecked by tramps. Three persons killed and two injured in Wisconsin."<sup>3</sup> "Train wrecking tried

<sup>1</sup> M. Louis Proal, *loc. cit.*, p. 130.

<sup>2</sup> New York Times, April 30, 1896.

<sup>3</sup> New York Evening Post, May 16, 1896.

by tramps. . . . Not satisfied with this effort, the scoundrels made a subsequent attempt to commit murder."<sup>1</sup> "Miscreants in Alabama try to throw a train from a high trestle. A cold-blooded crime, which almost resulted in an appalling loss of life." "Train wreckers busy. Attempt to ditch the fast mail on the New York and New Haven Road, Sunday night. . . . During the past few months the Stonington division has had three attempts at train wrecking."<sup>2</sup> "The Chicago Express . . . was wrecked . . . at 2.30 o'clock this morning. Two trainmen were instantly killed, and two tramps . . . who were stealing a ride . . . received fatal injuries. . . . The train carried a large number of passengers, but none of them were injured. . . . The wreck was the result of a deliberate plot, as a coupling pin had been driven into the switch so as to hold it open and throw the train off the track."<sup>3</sup> This ruthless manifestation of crime reminds one forcibly of the diabolical trade, common in days gone by, of those villains who lived by plunder of ships which, through false lights, they had lured to destruction.

Says Dr. Robert Fletcher:<sup>4</sup> "In the cities, towns, and villages of the civilized world, every year, thousands of unoffending men and women are slaughtered; millions of money, the product of honest toil and careful saving, are carried away by the conqueror,

<sup>1</sup> New York Times, Aug. 16, 1896.

<sup>2</sup> Ibid., June 29, 1897.

<sup>3</sup> Ibid., July 31, 1897.

<sup>4</sup> Quoted by Prof. Edw. S. Morse, *Pop. Sci. Monthly*, Aug., 1892.

and incendiary fires light his pathway of destruction. Who is this devastator, this modern 'scourge of God,' whose deeds are not recorded in history? The criminal. Statistics unusually trustworthy show that if the carnage yearly produced by him could be brought together at one time and place it would excel the horrors of many a well-contested field of battle."

Throughout the civilized world, every honest human effort is weighted by the hovering presence of the spirit of crime, and, in effect, it is with us as it was during the building of the walls of Jerusalem under Nehemiah, when "every one with one of his hands wrought in the work, and with the other hand held a weapon."

Turning now from the evils which are glaringly presented to the eye of every observer, let us look into the hidden recesses of the individual life. There we shall find the most varied forms of unhappiness due to intrinsic causes—those unfortunate idiosyncracies which so often mar or utterly spoil a life's usefulness. The person known to be possessed of such disadvantageous peculiarities is commonly regarded as "abnormal," but the dividing-line between the normal and the abnormal is purely arbitrary. There is no absolute standard: in an indefinite way we construct a relative one, and until an individual deviates widely from this we call him normal. The physician learns early to recognize that the number of abnormal persons among the apparently sound is very great. Many persons present the appearance of perfect health, and yet are

under treatment for distressing or even fatal disease; so, many are admired by their associates for their strength of intellect or beauty of character and, withal, are conscious of grievous defects or endure mental tortures of which the world at large has no inkling. These individuals are usually the victims of "degeneration"—a condition which has been minutely investigated since the first impetus given by Morel.

It is usual to divide the degenerate into two classes—"superior" and "inferior"—according to their mental characters. The superior degenerates are those who do not lack intelligence, but are ill-balanced or markedly eccentric. The "inferior" are feeble-minded, imbecile, or idiotic. Degenerates are defective beings from the beginning, and throughout life their abnormality is being constantly revealed. Many of them die before birth; others enter the world living, but quickly expire; others, again, have an existence of wretchedness and are then removed by an early death. There is usually delay in their teething, walking, and speaking, and in the evolution of their intelligence. They are very prone to nervous disturbances, especially to delirium and convulsions. Gradually there appear anomalies of character. The degenerate child may exhibit abnormal impulses, may be violent, thievish, cruel, incorrigible. He may be morose, tormented by morbid fears, or abnormally exuberant and silly. With the beginning of school-life, it is usually found that the child's capacities are either very unequal—some being brilliant and others insignificant—or that

they are generally deficient. Special physiological epochs—the first dentition, puberty, pregnancy, childbirth, lactation, the climacteric—are very trying to the degenerate, and often induce grave disease; of like influence are the occasional intensifications of life-stress which must be borne by us all.<sup>1</sup>

A very common manifestation of degeneration is the presence of the so-called "imperative ideas." There are many persons—of whose sanity there is never a question—who suffer from annoying or even torturing ideas and, although they fully recognize the absurd or horrible character of these, they find it difficult or impossible to expel them from their consciousness. These "imperative ideas" are the products of subconscious processes occurring in brains of a structure faulty through heredity or disordered by disease. Some hidden process of brain-activity pertinaciously obtrudes its product into the very focus of the waking consciousness, to the perpetual torment of the victim. Of such mental tribulation, we might cite instances innumerable. We are all, at least in a minor degree, subject to this tyranny. Thus, how common it is, after we have done some simple act, to have the idea arise that *perhaps* we have not done it; which idea, growing stronger and stronger, compels us finally to return and assure ourselves again of what we really know. For example, we lock a door, or turn off the gas, or give a message, and then can have no peace of mind until we have returned and verified that the thing

<sup>1</sup> For detailed description of the evolution of the degenerate, see Magnan et Legrain, *Les dégénérés*, p. 117 et seq.

has already been done to our satisfaction. Far more annoying is the fear which many persons feel when upon a tower or at a high window lest, through the imperious impulse which besets them, they should cast themselves to the ground; or the fear that they should suddenly use to their own or some other person's hurt any weapon which they may chance to handle. There are men who fear to shave themselves lest they should cut their own throats, and yet are of average self-control and of sound intelligence.

Morel, the profound student of mental abnormality, has related of himself that once, in crossing a bridge in Paris, as he approached a man gazing at the water, he felt so strong an impulse to push him over into the river that he was obliged to hurry from the spot, to master his homicidal desire.<sup>1</sup> A lady suffered, for a number of years, in the following way: she was incapable of performing the simplest act without first counting—usually to ten or multiples of ten. She could not even turn over in bed—unless it were done with great rapidity—nor remove the watch from under her pillow without first counting. In coming down-stairs, she had to stop on each step and count before descending to the next. At breakfast, she needed to count before venturing to take the teapot by the handle. Often she was obliged to count the rate of her breathing, and her steps as she walked along a road. In saying her prayers, after the first few words she was compelled to go back to the beginning. Even the blowing out

<sup>1</sup> Enrico Ferri, *Criminal Sociology*, p. 43. New York, 1896.

of a candle was impossible until the process of counting had been duly accomplished. The victim to this wearisome tyranny was very intelligent and saw the absurdity of yielding to this masterful impulse, but was helpless.<sup>1</sup>

“ A merchant, thirty years of age, father of two children, intelligent and well educated, was diligent and successful in business. He says that his mind is quite absorbed by two things—whenever his attention is disengaged for a little, he falls to pondering on something connected with colours and numbers. He asks, for example, why colours are unequally diffused? Why the trees are green? Why soldiers wear red trousers? Why women are married in white? Why black is the colour of mourning? Why some papers are blue, yellow, red, or grey? Wherever he goes, he counts the numbers of articles of furniture or clothes of such a colour. If he travels by rail, he calculates how many bridges or rivers he passes, or how much braid, how many buttons, nails, and nuts there are in the carriage. If he shuts his eyes to seek sleep, he feels himself forced to consider the question—why has the rainbow seven colours? He deplores his condition, professes himself ready to do anything for his recovery, and goes away saying, ‘ You have forty-four books on that table, and have seven buttons on your waistcoat. Excuse me, but I cannot help counting.’ ”<sup>2</sup>

“ A man aged forty, of healthy constitution, has since childhood attached prophetic signification to

<sup>1</sup> D. Hack Tuke, M.D., *Brain*, xvii., 183, 1894.

<sup>2</sup> W. W. Ireland, M.D., *The Blot on the Brain*, p. 190, 1886.

puerile facts and events. To wear a certain necktie promises him happiness or unhappiness. If he does not touch a certain boundary he thinks evil will happen to him. If he does not re-read a certain line or make a certain letter thicker in writing something horrible will befall him. At first his strange ideas were insignificant, or he was able to resist them, but as he grew older they filled his life and rendered it intolerable. For twenty years he made a pilgrimage every Sunday to the railway station in order to kick a certain post three times with each foot. If he did not do this his father would die. In order to rid himself of these obsessions he makes vows and associates threats with them. He says for example: 'If I yield to one of my caprices in the course of an hour I shall have apoplexy before twenty-four hours have passed.' At first this succeeded, but soon the effect of the vows diminished, and he was compelled to make them stronger. The unhappy man now stands sometimes for a quarter of an hour muttering the most fearful imprecations, in order to get the strength to go on an errand. If he omits them he is forced to obey the most absurd impulses. He must stop before a certain house, retrace his steps, touch boundaries, stop passers-by or touch their clothes; in a word he is obliged to act like a maniac. His intellect is perfectly normal, and he attends to his business as if nothing were the matter."<sup>1</sup>

Bishop Butler, author of the *Analogy*, was at times

<sup>1</sup> A case of Van Eeden's, cited by Dr. J. Milne Bramwell, *Brain*, p. 335, 1895.

afflicted by an almost irresistible desire to utter profanity.<sup>1</sup> A diplomatist used from time to time—when there seemed no special need for struggling against the morbid impulse—to open his window and imitate the crowing of a cock.<sup>2</sup>

Such imperious impulses, now known to be exceedingly common, have been tabulated into a long list of categories, and are regarded as mental “stigmata” of degeneration—from which opprobrious condition no man or woman in civilized society is entirely exempt, because of our motley inheritance. Some of these vexing conditions are: the tiresome and painful search for a name or other word; the dread of touching anything, through a fear of defilement; the morbid fear of pins or broken glass in food; the dread of very large or small spaces, of crowded assemblies, of the dark, of being buried alive; the desire, on the part of a person most careful of his language, to utter indecencies or blasphemies in a church or in polite society; the impulse to count, to buy for the sake of buying, to hoard, to steal, to burn, to kill, to take one’s own life.

Innumerable human minds are haunted by a phase of morbid ideation which consists of a tendency toward the almost constant anticipation of gloomy events, for the actual occurrence of which there is, perhaps, no ground but mere possibility. When such persons—who are said to have an anxious disposition—suffer constantly and acutely, their abnormality constitutes a pronounced manifestation of

<sup>1</sup> Dr. J. Milne Bramwell, *Brain*, p. 193, 1895.

<sup>2</sup> *Ibid.*

degeneracy. Such was the case of a woman who anticipated bad news whenever the doorbell rang; who when she saw, upon approaching her house, two persons standing by the door, could never avoid thinking that one of her children had fallen from the window; who every time that her husband coughed anticipated his having an attack of pneumonia and, forthwith, pictured to herself his funeral.<sup>1</sup> This form of abnormality is so common that, at least for the minor degrees, every reader might supply an abundance of examples.

A valuable contribution to our knowledge of morbid fears has recently been made by the investigations of Prof. G. Stanley Hall.<sup>2</sup> To elicit information as to the character and extension of human fears, a series of questions was widely distributed, especially among educational institutions, and the material supplied by the answers was tabulated and carefully studied. The following table<sup>3</sup> informs us as to the general distribution of the fears reported.

CELESTIAL PHENOMENA.

Thunder and light-	Comets.....	18
ning..... 603	Fogs.....	16
High wind..... 143	Storms.....	14
Cyclones..... 67	Eclipses.....	14
Clouds and their	Extreme hot weather.	10
forms..... 44	Extreme cold weather.	8
Meteors..... 34		
Northern lights..... 25		996

<sup>1</sup> Dr. S. Freud, *Angstneurose*, *Neurolog. Centrblt.*, xiv., 50, 1895.

<sup>2</sup> "A Study of Fears," *Amer. J. Psychol.*, viii., 147, 1897.

<sup>3</sup> *Ibid.*, p. 152.

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ANIMALS.		Fire .....	365
Reptiles.....	483	Water.....	205
Domestic animals...	268	Drowning.....	57
Wild animals.....	206		<hr/>
Insects.....	203		627
Rats and mice.....	196	Strange persons.....	436
Cats and dogs.....	79	Robbers.....	153
Birds.....	51		<hr/>
	<hr/>		589
	1486		
Darkness .....	432	Death.....	299
Ghosts.....	203	Disease .....	241
Dream-fears.....	109		<hr/>
Solitude.....	55		540
	<hr/>		
	799		

Relative to the permanence of these morbid fears, this study informs us that "while many special fears decline and others increase with age, many infantile fears remain through life, and scores of our reporters say that there has been no change in their fears." In certain individuals, the whole of the conscious life seems to be little more than a tissue of unreasonable fears. Thus: "A feeble boy of ten enumerates fifty-seven objects of which he has great fear, and adds that there are others he fears some. A girl of twelve feared the sun because it gave sun-stroke, clouds because of cloud-bursts, the moon because it might burst and fly, the sun lest it should get lost or burn us all, and cold weather lest fingers and ears should drop off. . . . A girl of thirteen, thought not abnormal, dreaded big eyes and robbers because they were sneaky, all reptiles because they were creepy, northern lights because

they were shivery, could not bear to look at a picture of the crucifixion, nor enter the parlor alone for fear of a picture of hounds and a fox. For a girl of seventeen all telegrams meant death; she dreaded to go out lest a comet should dash down, feared all women who wore big ear-rings, and a mythical black man who rode in a buggy with a sword, etc." But it is by no means only in childhood that such morbid fears dominate the life of the degenerate. A striking instance from mature age is supplied by the case of the late Lord Lytton. "I have seen my father more than once under conditions of imminent danger, but never saw him evince the least symptom of fear, except in the presence of a wasp. His terror of wasps was constitutional and uncontrollable; he inherited it from his father, and so did his eldest brother. He frequently dreamt of these insects, and always reckoned such dreams as ominous of coming evil or trouble to him."<sup>1</sup> A similar case was that of a vigorous man, aged fifty-four, who "fears a cat or mouse worse than death, and will walk far out of his course to avoid a rat; his father was the same, and his brother."<sup>2</sup> A lady of about thirty-five "has been bedridden for eight years with a rare form of nervous prostration. She mends steadily during cold weather, but sinks away during the season of thunder showers just in proportion as these are severe. Every peal makes her rigid and crampy like a frog with strychnine. Every fall her

<sup>1</sup> *Life of Edw. Bulwer (Lord Lytton)*, by his son, i., 308, note. London, 1883.

<sup>2</sup> Prof. G. S. Hall, *Amer. J. Psychol.*, viii., 206, 1897.

state measures the total amount of thunder during the season.”<sup>1</sup> A clergyman was obliged, for years, to get his wife to walk about a yard behind him, because of an unconquerable feeling that some one would jump upon his back.<sup>2</sup> A very large number of similar cases from adult life might readily be cited.

A certain measure of fear is wholesome, and without it society could not exist, nor, indeed, individuals; but such fears as we have just considered are very degrading to our humanity, and at times are very restrictive of our usefulness and happiness. When we meet with cases of such morbid fears, we are usually disposed to regard them as manifestations both rare and absurd, and feel little pity for their victims. But in this we are inconsiderate: if we imagine ourselves in the place of these sufferers, we shall better appreciate the burden hereby laid upon their lives. “He jests at scars, that never felt a wound.” These fears are exceedingly widespread, and a factor of enormous weight in the causation of human misery.

We turn now to another intrinsic cause of much unhappiness—morbid shyness, a trait now known to “run in families.” Persons subject to this infirmity are invariably of nervous temperament. Their suffering when with other men is often very acute, and the effort which they make to hide their discomfort is usually so misinterpreted that those who are warm of heart and full of sympathy pass with

<sup>1</sup> Prof. G. S. Hall, *Amer. J. Psychol.*, viii., 101, 1897.

<sup>2</sup> Dr. G. H. Savage, “Imperative Ideas,” *Brain*, 1895.

the world as being reserved and cold. The victim of this unfortunate sensitiveness may think very well of himself: indeed, "some of our most self-assertive and combative writers have been shy men." Great shyness may coexist with great physical vigor and animal courage. Thus, a man who found much pleasure in riding and breaking in the most unmanageable horses would force his way through a hedge rather than face an acquaintance in a country-lane. His father was so shy that he would go to bed in the afternoon, to avoid visitors on his wife's "day at home."<sup>1</sup> When very marked, this peculiarity isolates a man almost completely from his fellows: his thoughts and feelings, lacking outlet, do no good to the world, and usually much damage to himself. Such a life cannot but be sadly marred.

Akin to this unfortunate idiosyncrasy is the morbid tendency toward blushing. There are many individuals who, from early childhood to at least middle age, are the victims of an abnormal proneness to blush, which, in persons of sensitive temperament, may occasion oft-recurring torture. The remarks which follow hold only for the severer forms of the affection, and more especially for those which, not being due to transient conditions, persist for many years or even a lifetime.

In children, this manifestation does not at first give rise to any mental discomfort, but gradually the usual connection between blushing and a sense

<sup>1</sup> H. Campbell, M. D., "Morbid Shyness," *Brit. Med. Journ.*, ii., 806, 1896.

of guilt becomes appreciated, and then the child suffers in knowing that his innocent blush has awakened suspicion. With advancing years, the blush tends to occur more frequently and the concomitant sense of mortification to become more intense. The victim bears about with him the remembrance of his past humiliations and the assurance that these will be renewed indefinitely, whenever he shall be in the presence of his fellows, and through this consciousness, intense and incessant, he gradually grows more timid and unhappy, avoids society, and may even contemplate suicide, as the sole means of escape from a condition which has become intolerable.

A recent study<sup>1</sup> of morbid blushing has given new material of much interest. This study was based more particularly upon eight cases, seven of them being young men. All of these persons had had in their ancestry individuals who were timid and abnormally prone to blush; in their immediate family there were members markedly nervous, afflicted with tuberculosis, or addicted to drink. All had begun to blush abnormally in early childhood. To enter a shop, a restaurant, or other public place caused them much anguish. To some of them, it was perfect torture to endure the glance of the barber as he shaved them or cut their hair; under such an ordeal they would try to read a paper, shut their eyes, or think of something far away, but the effort always failed, they were possessed of the fixed idea that a blush was inevitable, and this soon

<sup>1</sup> "L'obsession de la rougeur," Drs. A. Pitres and E. Régis, *Arch. de neurologie*, 2. s., iii., 1. Paris, 1897.

sufficed to induce the dreaded scarlet. With the coming of night, knowing that their blushes would then be less noticed, these sufferers felt more at their ease and became even happy. In the presence of ladies or young girls, their discomfiture was extreme. One of them, being obliged, in returning from his work, to pass a dressmaker's shop, could do so only at a rapid run, with a flower in his mouth to keep himself in countenance. Being once accosted, as he ran past, by one of the sewing-girls, he blushed and trembled so violently that, had he not clung to an object near by, he would have fallen to the ground. His shame and despondency after the event were such that he hastily left the country. Certain topics of conversation always made these persons blush. If any one mentioned a misdeed, they blushed as if guilty. They blushed whenever they did anything awkward, or when any one else did so, or when in any way they had attracted to themselves attention—even by a good deed. Ever conscious of his mortifying infirmity, one of them said: "It is as if the humpback tried to forget his hump."

As is obvious, persons with this infirmity cannot live a normal life. Many, it is said, to increase their self-assurance, or to mask the emotional blush, seek refuge in drink. In none of the cases which served as a basis for the study mentioned was any degree of amelioration possible. This morbid tendency usually appears first in early childhood, and is often much aggravated by the indiscretion of other members of the family, who are apt to call frequent attention to the infirmity.

In morbid blushing, the painful emotion which accompanies it is the element of greatest importance, but the primary abnormality lies in the "vasomotor"<sup>1</sup> system, for the physical tendency toward the dilatation of blood-vessels has always long preceded the occurrence of mental discomfort; after the former has been very often experienced, a condition of expectancy is established which may constitute a veritable *idde fixe*. Later, the order of events being reversed, a fixed expectation may give rise to a condition of emotion and this, in turn, induce the vascular dilatation which constitutes the actual blush.<sup>2</sup> This abnormal proneness to dilatation of the facial blood-vessels is evidently due to some structural defect of the nervous system, and when it manifests itself in early childhood we must look upon it as a stigma of degeneracy.

A manifestation of degeneracy which is very common, very disastrous to the community, and usually unrecognized as to its nature, is the so-called moral idiocy or moral imbecility. It is a delusion still warmly cherished by many that such a thing as a man without a conscience, a moral sense, does not exist—unless perhaps among the insane. "What shall we say of that troublesome member of our feeble-minded communities, the so-called moral

<sup>1</sup> The calibre of arteries is variable, the variation depending upon the contractility of the muscular tissue within the vessel-walls. The degree of this muscular contraction is determined by impulses sent from certain nerve-centres, which latter, together with the nerve-fibres by which such impulses are conveyed, constitute the "vasomotor" system. Through this system the volume of arterial blood is augmented or diminished in any region of the body.

<sup>2</sup> Drs. A. Pitres and E. Régis, *loc. cit.*, p. 25.

imbecile ?" asks a recent writer. "Though proven a theoretical impossibility by able reasoners, he is an incorrigible reality in all institutions for the feeble-minded."<sup>1</sup>

The person who suffers from this moral defect is one who has less than the normal capacity—or perhaps no rudiment of it—for appreciating the distinctions between right and wrong, as held by the community in which he lives; for recognizing where his own rights end and those of his neighbors begin; for exercising self-restraint; and for cherishing an ideal of virtue under any form. The moral influence upon such an individual of family, church, and school is *nil*. He may recognize very clearly the limiting line between what is allowed and what forbidden by the law and public opinion, but he is incapable of perceiving its moral meaning, and regards it merely as a barrier to his personal ends, which are absolutely selfish. Incapable of sympathy, he is indifferent to the joys and sorrows of all the world, and cares but for himself. When obstacles appear in the path of his desires, there often arise intensest hate and fiendish brutality—a ruthlessness which knows no bounds. The voice of conscience is in him forever dumb; he is blind to the "beauty of holiness." "Nor can we ever," says Laurent, "make the moral idiot or the born criminal feel the good. Night broods upon these consciences; no word can ever bring them light."<sup>2</sup>

<sup>1</sup> A. W. Wilmarth, M.D., *Report, Eighth Sect. Intern. Cong. Char., Correct., and Philan.*, p. 15. Chicago, June, 1893.

<sup>2</sup> Dr. E. Laurent, *Les habitués des prisons de Paris*, p. 604. Paris, 1890.

The structural abnormality of brain which must underlie this defect of mind may be congenital, or it may come into existence at any period of later life; in the former case we may properly term the condition moral idiocy, in the latter moral insanity. The cause of moral *idiocy* is almost invariably an inherited defect of brain, due most frequently to ancestral insanity, drunkenness, or epilepsy. Moral *insanity* may be induced in a person apparently normal through injuries and such degenerative processes of brain as apoplexy, senile involution, paralytic dementia, drunkenness, and the graver neuroses, as epilepsy and hysteria.<sup>1</sup>

There has been much debate as to whether moral idiocy or moral insanity can occur without some concomitant abnormality of intellect. Eminent authorities maintain that this is possible, but even when intellectual defects coexist, they must often escape the notice of non-professional observers, and in any case the question does not affect the present discussion. To the degree that an individual is morally idiotic or insane, to that degree he is a dangerous member of the community. When a man does not conform his life in some fair degree to the generally recognized standard of rectitude, he is one upon whose actions we can never reckon, one with whom society can afford to have no relations save those of suspicion and hostility. But unfortunately, we usually learn to recognize these morally defective characters—who are about us

<sup>1</sup> Dr. R. v. Krafft-Ebing, *Lehrb. d. Psychiatrie*, 5te Aufl., p. 364 1893.

everywhere—only through bitter experience of their baseness.

Said Dr. Kerlin, the well-known director of an institution for idiots: "It is a mournful conclusion that has been reached after twenty-five years of experience, that, in every institution of this kind, and probably to a greater extent in our refuges and charity schools, there exists a class of children to whom the offices of a school-room should not be applied; these are the so-called moral idiots, or juvenile insane, who are often precocious in their ability to receive instruction, but whose moral infirmity is radical and incurable. The early detection of these cases is not difficult; they should be subjects for life-long detention . . . the school-room fosters the ill we would cure; in teaching them to write we give them an illimitable power of mischief—in educating at all, except to physical work, we are adding to their armament of deception and misdemeanor."<sup>1</sup>

"Of the occasional occurrence of extreme moral deficiency in children who show no defect or no corresponding defect of ordinary intelligence there is no question. From an early age the boy or girl exhibits a complete moral insensibility along with the strongest vicious or criminal impulses, with an amazing skill in stealing and lying, and an extraordinary cunning in devising the means and evading the penalties of its vicious gratifications."<sup>2</sup>

<sup>1</sup> Quoted by Dr. Tuke, *Journ. Mental Science*, xxxi., 364.

<sup>2</sup> Henry Maudsley, M.D., *The Pathology of Mind*, p. 382. London, 1895.

Only a small proportion of these moral defectives are recognized in their true character and placed under proper restraint and, as Dr. D. Hack Tuke has said, for every case of moral insanity going to an asylum, there remain at home a number of others who constitute for their relatives the plague of life, the thorn in the flesh, the skeleton in the cupboard. He tells of "a young lady in a family, who has had the same advantages of a good education and a moral training as the rest, but who is the demon instead of the angel of the house, an inveterate liar, a thief, and prone to startling irregularities."<sup>1</sup>

The same writer gives a striking history of a moral idiot, which may be epitomized as follows. As a boy, W. B. was sullen, sly, treacherous, idle, fond of torturing animals, and in the habit of cruelly treating the younger members of his own family. He once took a younger brother, aged five or six, to pick berries, and when in a secluded spot stripped him, beat him with willow branches, bit and scratched him terribly about the arms and upper part of the body, and threatened to kill him with a table-knife which he had brought, if any outcry were made. Shortly after, he cut the throat of a valuable horse belonging to a neighbor. For some time previously, the neighbors had been anxious concerning their live stock, as several horses had been wounded in the throat while at pasture. When arrested for killing the horse, the boy admitted having also twisted the necks of a number of fowls. He was imprisoned for a year, and then returned to his family. He now

<sup>1</sup> *Journ. Ment. Science*, 1885-86, xxxi., 175.

tried to strangle a younger brother sleeping in the room with him, and, later, to suffocate his baby stepbrother. He stole money from his father's desk, and was sentenced to seven years in the penitentiary. As a cavalryman, upon his release, he rode a horse into a deep morass, belabored him until he was fast in the mire and, in the morning, the horse was found dead. One evening, while sitting with his father, the latter cut his hand, in paring apples. B. was observed to grow restless, then went out to a neighbor's farmyard and cut a horse's throat, so killing it. He escaped to the woods, and there assaulted a young girl. For this he was condemned to death, but the sentence was commuted to life-imprisonment. After ten years in prison he was set at liberty; but *why*, says the narrator, is a mystery. On his way home from prison, when near his father's house, he entered a pasture, caught a horse, tied it to a telegraph pole, and mutilated it in a shocking manner. For this he was tried, but was acquitted on the ground of insanity and sent to an asylum. Five years later, he escaped from this institution, and in about an hour while almost in sight of the pursuing attendants, he overtook and attempted to assault a young girl. For this, he was committed to jail for six months—the judge stating that he must “be lenient under the circumstances.” Many minor offences, likewise, were committed by this moral lunatic while at home, in prison, and at the asylum. Thus, in the latter, he attempted to mutilate an imbecile with an old shoe-knife; and another imbecile he stabbed in the abdomen with a

table-fork, until the omentum protruded, and then bit him in many places over chest and abdomen. He introduced various vicious practices into the institution; killed many dogs, cats, doves, and fowls; was a great coward, and never attacked any person or thing likely to offer great resistance—only young girls, children, helpless lunatics, animals, and birds. The sight of blood seemed to excite his evil proclivities. He had a fair education, and if so placed that he could not indulge his wicked propensities, was a quiet and useful man, but could never be trusted. Says the writer in conclusion: "He is now serving out his sentence, and on its expiration, will no doubt be released—to commit, it is feared, more crimes."<sup>1</sup>

Another case was that of a girl of thirteen years, an illegitimate, who murdered a girl-friend of her own age. She was a very greedy child and, to obtain money for the purchase of coffee and sugar, robbed her friend. She was found out, but forgiven. She then led her friend away to a neighboring village, made her drunk, and again took her purse; the latter was recovered, and the thief threatened with exposure. Once more she took the purse and, this time, pushed her friend from a bridge into a shallow stream, then climbed down into the water and held the other's head under until she was dead, giving several blows with a stone meanwhile to expedite the murder. Upon her return home, the girl acted naturally, and gave a plausible account to the parents of the victim. She was arrested, and

<sup>1</sup> *Journ. Ment. Science*, xxxi., 361.

then confessed; was self-possessed at the trial, and evinced no remorse. It was shown that she had no motive for the murder but greediness.<sup>1</sup>

The following is an impressive instance of moral defect. A French gentleman repaired to his country residence for the summer, accompanied by his daughter, aged twenty-two, and his son, aged twenty. At once, depredations of a very serious character began throughout the neighborhood. Garden plants and trees were removed or damaged; the doors and walls of houses were soiled; "windows were broken; the emblems of religion were outrageously insulted; the walls and doors of the church, the priest's house, and even the altar were soiled with ordure. A drawing of the priest administering the sacrament to a cow was found on the walls, and obscene letters, containing also menaces of death and incendiarism, were received by Mr. X., the priest, and others. Terror overspread the parish, and no one dared to go out by night. At last, Mr. X.'s son and daughter were discovered in the act." The son, who appears to have been little more than the tool of his sister, confessed; but the latter, the moving spirit in this knavery, denied everything. The motive seems to have been merely the pleasure experienced in creating a wide-spread terror.<sup>2</sup>

Legrand du Saulle has called attention to the fact, that among the individuals of neurotic predisposition there are certain ones who constantly drink to great excess and yet, through their remarkable power of

<sup>1</sup> *Journ. Ment. Science*, xxxi., 460.

<sup>2</sup> Havelock Ellis, *The Criminal*, p. 7. London, 1895.

resistance, are never drunk, nor present the ordinary signs of alcoholism. These individuals are irascible and violent, they are in almost constant ill-humor with every person and every thing, they are destructive, eat little, sleep badly, are mean, cruel, and dangerous, and make themselves universally hated. They are not subject to convulsive attacks, nor to intoxication, nor do they rave quite as lunatics; yet they are "epileptics without fits, drunkards without intoxication, maniacs without derangement."<sup>1</sup>

A case of the kind, observed by Morel, may be here cited. A man, aged sixty, regarded as perfectly reasonable in his conversation, used to drink a *litre* or more of brandy every day. His wife, a woman of unusually sweet disposition, was finally obliged to leave him, since he had several times nearly killed her. He sought constantly to compromise his sons and to ruin their business, and abused them often in public, although they had given him no cause for such treatment. At the age of ten or twelve years, he showed a violent and unmanageable character. Upon the slightest rebuke from his parents or other persons, he rolled on the floor in a fury, and would bite with such ferocity that it was almost impossible to make him relax his hold. His early life presented an incessant series of quarrels with children of his own age. He married early and had eight children. Whether he had drunk or not he "bounded in anger." One day, upon hearing some simple remark which he did not

<sup>1</sup> Legrand du Saulle, *Étude médico-légale sur les épileptiques*, p. 137. Paris, 1877.

like, he rose with an air of calm, went to the stable, took a knife, and ripped open the abdomen of his horse. At times, after an hour or more of such insane acts, his fury would explode in horrible threats against his children; thus, he once tried to strangle one of his children as it lay sick in bed. Three times he tried to commit suicide, and, when rescued from his dangerous situations, he abused and threatened those who had saved him. As Morel talked with this man, he seemed perfectly reasonable until his emotional side was touched, then his fury exploded: of his wife he said, "I shall have her life or she will have mine," and of his children, "I shall disgrace and ruin them, and then take my own life, for to suffer as I do is not to live." The man lived in comfortable competence and had few of the ordinary burdens of life: the "suffering" of which he constantly complained was simply his profound disgust for life—a bitterness of feeling nourished, without ground or reason, in an "ulcerous heart."<sup>1</sup>

These several cases illustrate the principle that vice, crime, and insanity may be regarded as merely different phases of degeneracy which so resemble one another that we are often at a loss when we would distinguish between them. We may say, in a general way, that when the exercise of a man's abnormal functions is directly hurtful only to himself, it is vice; when directly hurtful to society, it is crime; and when the product, as word or deed, is too markedly at variance with the thought or prac-

<sup>1</sup> Legrand du Saulle, *Étude médico-légale sur les épileptiques*, p. 139. Paris, 1877.

tice of the great majority of his fellows, it is insanity. Defective moral sense, the " stigma " which we have just considered, is found with remarkable frequency among criminals, as may be learned through the tables given on page 19, from the latest *Year Book* of the Elmira Reformatory.

There is a frequent manifestation of moral imbecility or moral insanity, which when pronounced constitutes a well-known special " monomania." The subjects of this peculiar type of mind have a strong tendency toward litigation, for the protection of their assumed rights and the punishment of such persons as make a stand against their egotism: in the law, they see merely an instrument for the accomplishment of their own selfish purposes. From an early age, they make themselves nuisances through their tendency to interference, and later in life, when crossed in their plans, they may become very dangerous.

All individuals in civilized society are, to some degree, degenerates: through a weak and vicious ancestry, the seeds of degeneracy have been scattered broadcast and may, anywhere, develop into the rankest luxuriance; but, as a rule, it is along special family-lines that we find the notable phenomena of degeneration. In these families we observe a remarkable frequency of grim morbid conditions: insanity, idiocy, imbecility, eccentricity, hysteria, epilepsy, the alcohol-habit, the morphine-habit, neuralgias, " nervousness," St. Vitus' dance, infantile convulsions, stammering, squint, gout, articular rheumatism, diabetes, tuberculosis, cancer,

deafness, blindness, deaf-mutism, color-blindness, and a number of other abnormal conditions less well known to the lay public. In these same families, too, we find an extraordinary abundance of physical malformations: marked asymmetry of head and face, defects and deformities of eyes, ears, nose, mouth, forehead, and chin, of teeth, jaws, and palate, of the trunk, and of the limbs.<sup>1</sup> The history of these families usually shows an accelerating intensification, generation after generation, of the fatal heritage until they have become extinct; but during their degenerate period, the members of these sick families, serving as morbid agents, have distributed among the race a wide-spread infection.

As instances of the frequent rapid extinction of degenerate families, let us view the following history and two family-tables.\* "A young man of marked cancerous proclivity married a woman whose parents had both died of pulmonary consumption. This married couple had a family of five children, all of whom grew up to adolescence, sustaining at their best but delicate and feeble existences. The first of these children died of a disease allied to cancer, called *lupus*; the second, of simple pulmonary consumption; the third, owing to tubercular deposits in the brain, succumbed from epileptiform convulsions; the fourth, with symptoms of tubercular brain disease, sank from diabetes, the result of a nervous injury; and the last, living longer than any of the rest, viz., to thirty-six years, died of cancer.

<sup>1</sup> Cf. *La famille névropathique*, Dr. Ch. Féré. Paris, 1894.

\* See p. 68.

The parents in this instance survived three of the children, but they both died in early life—the father from cancerous disease of the liver, the mother from heart disease and bronchitis.”<sup>1</sup>

The following history illustrates the sad effect of intermarriage among the neurotic.

“*First Generation*: Father intelligent, became melancholic, and died insane. Mother nervous and emotional.

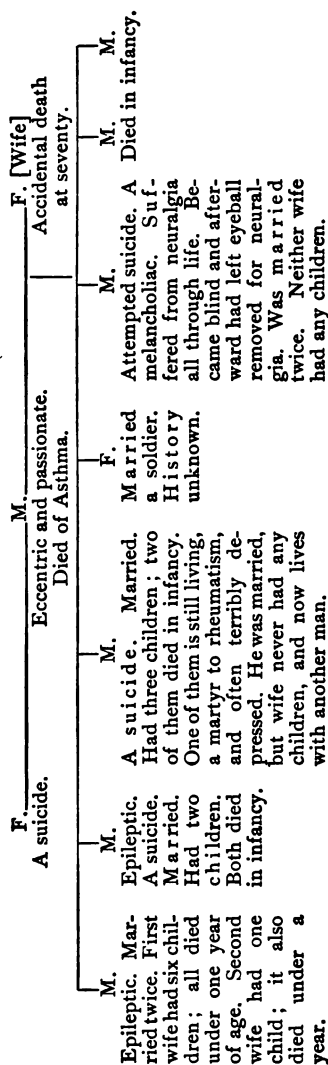
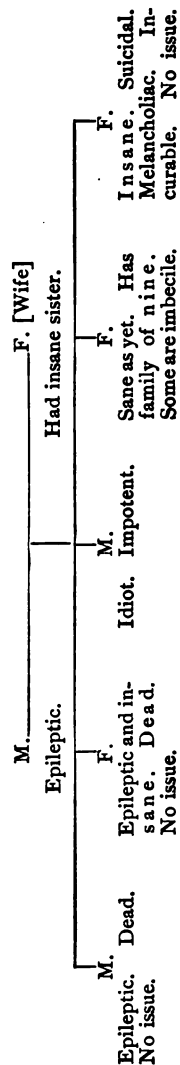
“*Second Generation*: Ten children. Three die in childhood. Seven reach maturity as follows: Daughter, *A*, a melancholiac; daughter, *B*, insane at twenty; daughter, *C*, imbecile; daughter, *D*, a suicide; son, *E*, imbecile; son, *F*, a melancholiac; son, *G*, a melancholiac.

“*Third Generation*: *A* has ten children; five die in childhood, one is deformed, one has fits of insanity, one is eccentric and extravagant, two are intelligent and marry, but are childless. *B* leaves no issue. *C* has one child, a deformed imbecile. *D* has three children; one is an imbecile, one dies of apoplexy at twenty-three, and the third is an artist, described as ‘extravagant.’ *E* has two children; one dies insane, the other disappears, and is supposed to have committed suicide. *F* is childless. *G* has one child, who is imbecile.”<sup>2</sup>

In reflecting upon such records, we must bear in mind that usually but a small fraction of the truth has been told us. The general public has no con-

<sup>1</sup> Dr. S. A. K. Strahan, *Marriage and Disease*, p. 185. London, 1892.

<sup>2</sup> Quoted by Dr. Strahan, *loc. cit.*, p. 109.

J. W.'S FAMILY.<sup>1</sup>K. S.'S FAMILY.<sup>2</sup><sup>1</sup> Taken from Dr. Strahan's work, p. 18<sup>2</sup> *Ibid.*, p. 108.

ception of the close connection between the vicious abnormalities observed in degenerate families: their existence is often overlooked and still oftener, when recognized, soon forgotten. To the general indifference and carelessness which offer such obstacles to the tracing of diseased inheritance, we must add the potent sense of shame which leads many to conceal such facts as are supposed to indicate family degeneration.

There are families innumerable, especially in the most highly civilized centres, which are fast approaching extinction. Generation after generation, their mental and physical tendencies become more hurtful to the individuals and to the race until nature can tolerate these family-lines no longer.

A distinguished alienist has recently given the following schematic representation of a gradual family-degeneration<sup>1</sup>:

*First Generation*: Acquired neuropathic condition, drunkenness, dissolute life (acquired moral degeneration).

*Second Generation*: Congenital so-called neuropathic constitution, with its concomitant and consequent manifestations (general nervousness, hemiplegia, chorea, simple epilepsy, hysteria, and hypochondria).

*Third Generation*: Simple primary psychoses (melancholia, mania, paranoia, stuporous insanity, paralysis, etc.), and hysterical and epileptic insanity.

*Fourth Generation*: "Organically" induced typical

<sup>1</sup> Prof. Otto Binswanger, *Volkmann's Klinische Vorträge*, No. 299, p. 17.

forms of hereditary degenerative insanity: periodical and circular insanity, early paranoia, impulsive insanity, sexual perversion, imbecility, and idiocy.

*Fifth Generation:* Extinction of the thoroughly corrupt family.

It is a matter for congratulation that there are thus removed, eventually, many of those who are utterly unfit for human society, but this desired end is usually reached only after some generations of miserable lives, and the taint of the decaying stock is by no means always eliminated when a family has been brought to the brink of annihilation. A man of a fast-waning stock, heavily laden with inherited weaknesses, marries a woman of healthy and vigorous descent and, behold, the family name is rescued from extinction. But at what a cost! The leaven of degeneration, of immeasurable sorrow, which should have ended with the life of this unfortunate, has now been infused into his offspring, and through them will be worked broadly into the constitution of the race. Again, a degenerate family may disappear in name but its baleful influence be perpetuated by the union with a healthy stock of some last female scion. It is in this way that, from time immemorial, the many threads of vicious inheritance have been woven into the web of the human constitution. The degenerative tendency, ever gravitating downward and towards extinction, has, like a shuttle-cock, been kept aloft and in the play by the favorable strokes given through such unions.

The recognition of the injury wrought to the race through injudicious marriages is by no means new.

Thus Burton, in his *Anatomy of Melancholy*, 1652, quotes an old French physician to the effect that: "It is the greatest part of our felicity to be well born, and it were happy for human kind, if only such parents as are sound of body and mind should be suffered to marry." He adds: "How careful, then, should we be in begetting of our children!" He alludes to the cruel measures made use of in ancient Scotland for the repression of undesirable parentage, and says: "This was done for the common good, lest the whole nation should be injured or corrupted. A severe doom, you will say, and not to be used amongst Christians, yet more to be looked into than it is. For now by our too much facility in this kind, in giving way for all to marry that will, too much liberty and indulgence in tolerating all sorts, there is a vast confusion of hereditary diseases, no family secure, no man almost free, from some grievous infirmity or other. . . . It comes to pass that our generation is corrupt, we have many weak persons both in body and mind, many feral diseases raging among us, crazed families; our fathers bad, and we are like to be worse."<sup>1</sup>

The low level of human intelligence and self-control is well shown by the delusions which often control the actions of large masses of men.<sup>2</sup> There are

<sup>1</sup> Dr. E. S. Talbot, *Degeneracy*, pp. 3, 4. London, 1898.

<sup>2</sup> Much has been written of late relative to the influence of "suggestion" in mobs and crazes. While the degree of "suggestibility" during the hypnotic sleep is no measure of an individual's intelligence or strength of will, it may certainly be so regarded in the waking state—in which condition suggestion reveals its influence among crowds,

many striking instances of the kind supplied by history, and the tendency is everywhere manifested about us to-day. The ordinary mind appears incapable of supplying its own initiatives: its activities must receive their direction from some external and stronger intelligence. The average man enjoys an enthusiasm, but is too indolent or feeble, intellectually, to find for himself an object sufficiently novel or imperative to induce in him this pleasurable emotion; when, therefore, a more energetic individual presents and recommends, however unreasonably, some idea or thing as worthy of enthusiasm, his proposal is quite sure to be accepted with acclamations of delight, and great masses of men may follow with docility the originator and his delusion. "Whole communities suddenly fix their minds upon one object, and go mad in its pursuit; millions of people become simultaneously impressed with one delusion. We see one nation, from its highest to its lowest members, with a fierce desire for military glory; another as suddenly becomes crazed upon a religious scruple; and neither of them recovers its senses until it has shed rivers of blood, and sowed a harvest of groans and tears to be reaped by its posterity."<sup>1</sup> Examples of such wide-spread delusions are given by the conviction, in the tenth century, that the end of the world was at hand, from which the crusades derived their origin; the medieval belief in witchcraft, lasting for centuries; the commercial delusions known as the "South Sea Craze" and the

<sup>1</sup> Quoted by Chas. Elam, M.D., *A Physician's Problems*, p. 165. London, 1869.

"Mississippi Bubble"<sup>1</sup> of the eighteenth century, and the recent "South African Boom" of our own time.

Allusion is often made to the gross superstitions and the strange psychic epidemics of the ages gone by as if they were childish manifestations which the human mind had now entirely outgrown; but we have ample reason to believe that our intelligence is little less prone to folly, than in the dark ages of the past. We know more than did our fathers, but are scarcely wiser than they. Fanatics are everywhere about us. There are individuals innumerable, reputed sane, who ardently accept doctrines, political, social, philosophical, and theological, upon evidence appearing absolutely worthless to the normal or "common-sense" mind. And sad to say, the men whose judgment we bring as testimony against the credulity of fanatics are themselves usually possessed of many crotchets, and must, in turn, be proceeded against, if we would indict *all* "cranks." When we reflect upon our proneness to delusion, the constant unreasonableness of our lives and the mad actions of sane men, there falls upon us some measure of that strange terror which is said to befall those who see their houses totter and feel the earth tremble under their feet, for the very foundations of our safety seem shaken.

Many persons believe that periodic war is a necessity, if human society would preserve a fairly wholesome life; thus Ruskin holds that "war is the foundation of all the high virtues and faculties of men." It may be that, for the present at least, our

<sup>1</sup> Appendix 8.

racial development stands in alternating need of both war and peace, although the one tends to brutalize, and the other to render vicious. Each of these mighty factors of civilization serves in turn to arrest the degenerative process induced by the other, and in this lies the main value of war; but to peace we must ascribe likewise another and a greater merit—opportunity for the exercise of man's highest attributes and an incitement to their expansion. The days of universal peace are not at all near, nor may we look for their coming until the base instincts of human nature have been eliminated or subdued by an intelligent self-control. Meanwhile, whether a people be at war or peace, their deep discontent with the course of their life is strong testimony to the misery of human existence.

We have now touched upon many sad aspects of our life; others of still darker hue have not been broached, as unfit for the general reader. Glimpses of the brighter side are, for the greater number of us, but infrequent episodes. If our sympathies be wide, the moments of our happiness must take a sombre coloring from the general wretchedness of man. Depressing though the picture be, this presentation of human evils is not intended as a hopeless wail, but as an incentive to a vigorous reaction. I believe that the fate before which we now must bow is dependent upon ignorance of the true cause of our unhappiness, and not, in the nature of things, a fate which shall continue inevitable; and that, through a practical application of the knowledge now fast dawning, the race may attain to a far happier existence.

## CHAPTER III

### THE CAUSE OF HUMAN WRETCHEDNESS

**I**T has been held, from remote ages, that the fundamental cause of all our woe is an inborn tendency toward evil. In the light of modern knowledge, we still retain this old doctrine, although obliged to modify its current interpretation. By the term human evil we understand generally all that is hurtful to the best interests of man, as individual or race. The human tendency toward self-hurt is in part the result of undevelopment, in part of development in a wrong direction; but always it is incorporated within the physical structure with which we enter upon this life, and the variations in the degree and peculiar character of this tendency are, in the main, a matter of inheritance.

Until recently it appears to have been generally supposed that the inborn tendency to evil was of equal intensity in every human soul at birth, and that the great differences in the subsequent actions of men were to be explained by social conditions and education—in brief, by environment. This explanation is now unsatisfactory to all who thoughtfully consider it and has been quite generally rejected. We are compelled to believe that the congenital

tendency toward evil is not alike in any two human beings, and the opinion that human character depends essentially upon heredity<sup>1</sup>—the modifying influence of environment being fully admitted—gains constantly in strength and diffusion.

The writers who belittle the influence of heredity, and exaggerate the rôle of environment, maintain such an attitude, I think, because they are unacquainted with the vast array of evidence bearing upon the point in question; or are blinded to its true import through an unwillingness to accept any doctrine akin to predestination; or perhaps are so hopeless of altering the course of heredity and so sanguine as to what may be accomplished through modifying environment that the latter alone remains for them a matter of interest. Heredity is a difficult study, and its evil influences are obstinate factors in the problem of social reform: it is easier, therefore, to ignore its existence, and the plan of battle appears more promising, when the most formidable enemy is imagined out of the way. Our attention being diverted from the primary cause, we may soon come to regard the merely secondary as the essential. In point of fact, the influence which we must ascribe to environment is, if we exclude the element of inanimate nature, only the influence of heredity in previous generations, for the surroundings into which men are born have been made by those who

<sup>1</sup> By the term heredity the author is always to be understood in the broadest sense, as meaning the sum of ancestral influences directly transmitted from parents to offspring, whether as specific tendency or deficient vitality.

have preceded them, in accordance with tastes and necessities derived through inheritance. This fact, that environment is essentially *indirect heredity*, must be reckoned with by those who hope to better humanity merely through improvement of environment. Often must such persons find, to their pain, that "the sow that was washed" has turned "to her wallowing in the mire."

That the skin of the leopard has spots and that environment cannot change them, are facts which every one will admit as due to heredity. That the ungulates, as horses and cattle, cannot, through inheritance of an inappropriate structure, climb trees, will, likewise, be readily admitted. And so, it will not be denied that one man is a poor lifter of weights and another slow in a foot-race because of unsuitable inherited structure. But when we come to differences in the mental character of men there are many persons disposed to dispute the supreme domination of heredity,<sup>1</sup> because they believe, or desire to believe, in the old-time doctrine that the human will is *absolutely* free. It is abhorrent to such persons to suppose that a man, however limited in corporal power, or in understanding, is not free to resist all evil temptation, and to carve out his own fortune with achievement of full success, spiritual if not material, if he so will. They distrust the theory that a congenital or acquired defect of the brain in any part must bear with it a defect of the corresponding function, or they believe that certain mental processes are quite independent of brain

<sup>1</sup> Appendix 4.

structure. Yet, as I hope to show, the evidence as against the position of these persons is overwhelming.

The child at birth is a complexus of physical and mental tendencies inherent in its structure and made up of elements derived from its ancestors. The future will determine the child's environment, but the kind of child and man which is to meet, and be moulded by, that environment has been inexorably predetermined by the past. Modern investigations indicate that every peculiarity of body is a matter of definite inheritance and not chance. Thus, the color of the eyes, of the hair, and of the skin, the form of the skull, the length of the limbs, all point back to the special ancestral strains of which we are so complex a combination.<sup>1</sup> It is not only in the *general* character of structure and function that similarity is transmitted to offspring: any parental attribute may reappear in the progeny, with nicest precision of resemblance. Says Ribot: "Often the paternal or the maternal predominance reveals itself in a remarkable manner, each of the parents having selected, as it would seem, some special organ or region. To the same child, the father may bequeath the brain, the mother the stomach, one the heart, the other the liver, one the alimentary canal, the other the pancreas, one the kindeys, the other the bladder. Such facts are established by anatomical research in man and in the lower animals. They constitute the organic basis in the child for the frequent remarkable complication of the instincts, the

<sup>1</sup> Appendix 10.

predisposition toward disease, and the passions of both parents. At times, one parent transmits all the corporeal, the other all the mental qualities of the child. The most remarkable and most incontrovertible example of this is the case of Lislet-Geoffroy, an engineer of Isle de France. He was the son of a white man and of a negress of great mental limitation. In body he was, like his mother, a negro as to facial features, color, hair, and the odor peculiar to this race. As respects his intellectual development, he was so much a white that he overcame the racial prejudice so strong in the Colonies, and was received in the houses of the most distinguished. At his death he was a corresponding member of the Académie des sciences."<sup>1</sup>

The physical and mental characters of men are what they are mainly through congenital or innate tendency, and this element—the “congenital” traits—is unquestionably transmissible to offspring; but in the make-up of body and mind there is, further, a certain *quantum* acquired during the life-experience of each individual, and relative to the transmissibility of such “acquired” traits there is still considerable discussion. Darwin and Herbert Spencer have believed that acquired traits may be conveyed in considerable measure from parent to offspring. Francis Galton holds that they are “faintly heritable”; while Weisman, at one time, denied the possibility of their transmission. The vehemence of this biological contention has now

<sup>1</sup> Quoted by Otto Ammon, *Die natürliche Auslese beim Menschen*, p. 55. Jena, 1893.

considerably abated, and the general view appears to be that acquired characters are transmissible to some degree at least, although a final settlement of the question is impossible through insufficiency of the evidence as yet accumulated. This biological difference of opinion really concerns us here but little, however, for no biologist doubts the tremendous influence of heredity,—in the transmission of structure and concomitant function and often, unhappily, of a diminished or disordered vitality,—and when, in the case of any given trait, there is room for discussion, the dispute is not as to the fact of inheritance of the character but as to the degree in which it was congenital or acquired in the parent.

The preponderance of biological evidence inclines us strongly to the belief that the tendency toward evil in human character, whether due secondarily to weakness or to vice, is *primarily* the result of inheritance. In one case, a family-line, through lack of initial power, has not developed up to the average level of the modern civilized community; it is an unprogressive stock, the offspring of which, generation after generation, is unable to co-operate harmoniously with the descendants of more highly gifted strains. In another case, through unfortunate environment or the habitual gratification of morbid tendencies, a family-line may be actually retrogressive, the offspring becoming more and more out of harmony with all "normal" society until the stock has suffered extinction. It is with the progressive stocks that our advance is made, and these appear scattered through all of our social strata.

"Every child at birth is 'endowed with the heritage transmitted from innumerable ancestors, and is already rich in personal experiences from its prenatal life; . . . these combined decide the individual's race and strain, and potentially incline, if they do not absolutely coerce, his tastes and ambitions, his fears and hopes, his failure or success.'"<sup>1</sup> In the words of an Italian physiologist, "Destiny loads each one of us with a fatal inheritance. Though we were abandoned in the forest, imprisoned in the dungeon of a tower, without a guide, without example, without light, there would yet awake in us, like a mysterious dream, the experience of our parents and our earliest ancestors. What we call instinct is the voice of past generations reverberating like a distant echo in the cells of the nervous system. We feel the breath, the advice, the experience of all men, from those who lived on acorns and struggled with the wild beasts, dying naked in the forest, down to the virtue and toil of our father, to the fear and love of our mother."<sup>2</sup>

The influence of heredity appears plainly shown in the great differences among children of the same parents, living amid an environment which has been very nearly identical for them all. Under such conditions, one child evinces a great talent for music, another has no "ear" whatever; one is fond of romping and mischief, another is quiet and considerate; one is controlled by the greatest gentleness,

<sup>1</sup> G. A. Dorsey, *Science, New Series*, vi., 119, 1897.

<sup>2</sup> Prof. Angelo Mosso, *Fear*, p. 263. Eng. transl. by E. Lough and F. Kiesow, 1896.

another, whether through kindness or rigorous punishment, is wholly unmanageable.

One reason for the current inadequate appreciation of the all-pervading influence of heredity is found in our common tendency to look no farther for the interpretation of physical and mental constitution than to the nearest ancestors—the parents.<sup>1</sup> If these be physically strong and morally good, we are apt to regard the weakness and tendency to vice which may be manifested by the offspring as a “freak of nature,” or as a matter entirely dependent upon an unfortunate environment; but if, in such cases, a fairly complete family-tree be open to our inspection, we have usually no difficulty in tracing the ancestral elements which have led to the present manifestation of weakness or depravity. An excellent illustration of the way in which a mystery of this kind may often be solved by the family-tree is supplied by the table on page 94. It is often clear that parents have transmitted to offspring much less of their own special characteristics than of those belonging to the stocks from which, respectively, they themselves have sprung. Were it desired to forecast the character of certain offspring, and were we limited to a study either of the parents or of *their* ancestral lines alone, the latter investigation would, in the great majority of instances, lead

<sup>1</sup> This short-sighted view is common among physicians as well as laity. A good illustration of this appears in a recent and valuable work treating of human monstrosities, where the statement is made, relative to the etiology of dwarfs, that “Heredity seldom plays a part, since dwarfs are generally of parents of normal stature.”

to far more accurate results; in other words, we may say that the hereditary influence of the stock outweighs that of the individual parent.

Let us now take poverty, disease, degeneracy, and criminality as the chief types of human wretchedness, and see to what degree heredity appears to be their essential cause; and in so doing we should remember always that, as already said, the part played by environment is, when we exclude the element of inanimate nature, really the influence of heredity as manifested in previous generations.

Poverty may be considered as simply a notable lack of such things as are necessary to life and comfort. This lack is due to an individual's failure to procure what he needs, and such failure is dependent, except in a very few cases, upon some defect or peculiarity in the individual's physical or mental organization. An individual is poor, usually, because he is weak in body or mind, and cannot therefore render such service to society as shall be required by a compensation enabling him to supply his needs. His physical or mental weakness may be congenital, and therefore plainly inherited,<sup>1</sup> or it may be induced by accident or disease. "Accidents" are due, in the great majority of instances, to want of forethought,<sup>2</sup> lack of presence of mind, or inadequacy of physical activity or strength,—

<sup>1</sup> Except in those rare cases where the cause has been some unfortunate accident in intra-uterine life or at birth.

<sup>2</sup> According to the German accident-insurance statistics for 1887, 53 per cent. of the accidents were due to negligence.—R. Mayo-Smith, *Statistics and Sociology*, p. 160. New York, 1895.

conditions dependent upon the mental or physical organization which the victim has inherited, or upon some process of deterioration determined by disease or vice. Disease appears often to arise by chance; but, with few exceptions, it will be found to require a special predisposition, which latter is dependent upon constitution as inherited or as weakened by vice; and the special forms of vice, as we well know, are underlaid by some morbid tendency derived through inheritance. Thus traced back, it is undeniable, I think, that poverty has its root in heredity, and that the part played by environment is very secondary. "The ideal pauper is the idiotic adult unable to help himself, who may be justly called a living embodiment of death."<sup>1</sup> We all know men who, whether educated or illiterate, if stripped of every fragment of wealth and placed in the poorest of slums would quickly, through their intelligence and energy, make for themselves a competence.

Between disease and heredity the relation is exceedingly close; but we must recognize clearly that, with few exceptions, *disease* is not directly transmitted from parent to offspring but merely a *predisposition* to disease. By the term "constitution" we mean, in effect, the aggregate of an individual's inherited powers for the resistance of such evil influences as may assail his body. All such defensive aggregates have their weak points, their lines of less resistance: these constitute special predispositions, and it is here that disease is manifested. From of

<sup>1</sup> R. L. Dugdale.

old, the hereditary tendencies of certain families to special diseases have been fully recognized, but it has not been appreciated that almost all diseases require a constitutional predisposition—a special soil in which alone the morbid influence can take root and flourish.

Not only are all constitutional diseases dependent upon hereditary or congenital predisposition on the part of the patients, but this appears to be largely true, likewise, of certain germ-diseases,<sup>1</sup> and many of the psychic and neurotic symptoms occurring during the course of infectious disease in general, or as a result of accidental wounds and other injuries, are clearly traceable to an abnormal inheritance. There is reason for believing that even such a disease as “writer’s cramp,” formerly regarded as purely an accidental result of excessive muscular exertion, is dependent upon an inherited predisposition—so marked in some persons that very ordinary use of the muscles involved may induce this diseased condition. The other professional cramps appear to require the same favoring circumstance of predisposition.<sup>2</sup>

Quite as abundant and incontrovertible as in the case of disease is the evidence for the hereditary transmission of the taints of degeneracy. In them

<sup>1</sup> An eminent English physician says: “I believe that members of highly neurotic families not only take such diseases as scarlet fever, measles, typhoid, etc., readily, but that they are more liable than others to have a second attack of the same fever.”—Quoted by Dr. G. H. Savage, *Brain*, xx., 1, 1897.

<sup>2</sup> Cf. Dr. Chas. Féré, *La famille névropathique*, p. 94. Paris, 1894.

we must see evidence of defective nutrition during intra-uterine life, and except in very rare instances we must hold a blemished parental *vitality*, rather than an unfortunate maternal *environment*, as responsible. Somewhere among the ancestors of the degenerate family there has been bodily or mental impoverishment, and this has impaired the full developmental impulse normally transmitted from parents to offspring. As a result, there has been some interference with growth or development: some part of the body tissues has not attained to that perfection of structure which is the requisite basis for the perfect performance of function.

The abnormal structures and functions in the degenerate are termed "stigmata," and the degree of degeneracy is estimated by their number and intensity. They are weaknesses, and thus constitute *predispositions*; so that the degenerate often succumb to disease and stress of life amid which the "normal" pass unharmed; or they may appear as eccentricities of thought and action, marring the happiness of the individual and working much mischief to society. The condition of degeneracy appears, at times, to be induced in a normal individual through a reckless misuse of his powers and opportunities, but we have good reason for believing that in the great majority of such cases the individual has been, already, a degenerate unrecognized who, through the gratification of abnormal tendencies, has merely intensified his degeneracy to a degree at which it can no longer escape recognition. Almost invariably, if we search for it, we find the

fundamental factor of a man's degeneracy to be a taint derived through inheritance.

During recent years, our conception of morbid heredity has become much clearer through a recognition of the great principle that the special defects of offspring are not necessarily identical in character with those existing in the nearer ancestry, but are merely the special manifestations of a transmitted abnormal vitality. In the degenerate, the defects which we see and those the existence of which we infer are all due to disturbances of nutrition. One structure has been insufficiently fed, and we find a dwarfing of its growth and a repression of its function; another has been superabundantly nourished, and displays an exuberance of growth with a consequent imperiousness of function. In such manner must we explain the very unstable equilibrium of the degenerate—the characteristic absence from mind and body of the normal balance. The essence of morbid inheritance being merely a tendency toward abnormal nutrition, the latter reveals itself under varying forms, according to conditions of which, as yet, we have little knowledge. Degeneracy has, as it were, a long array of masks from which to choose for its disguising, but many of these are well recognized by the trained eye.

Says Dr. S. A. K. Strahan<sup>1</sup>: "The more closely such degenerate conditions as epilepsy, insanity, scrofula, drunkenness, cancer, and crime are inquired into, the clearer it becomes that they are not only related, but that they are largely inter-

<sup>1</sup> *Marriage and Disease*, p. 48. London, 1892.

changeable." They "are in reality but the varying outward signs of a common constitutional depravity, and they constantly replace one another in succeeding generations of the deteriorating family, and even in different members of the same generation. . . . For this reason the intermarriage of so apparently unlike temperaments as the cancerous and the insane, the cancerous and the scrofulous, or the insane and the rheumatic, seldom or never result in reversion to the healthy type. Unions of this kind are almost, if not quite, as dangerous to the offspring as those of individuals belonging to families in which the family degeneration has taken exactly the same outward form." To illustrate the equivalence of the various manifestations of degeneracy, there is presented, in table form, the following actual family-history.<sup>1</sup>

The compiler of this table has well remarked that even in the one descendant reported as healthy, cancer, insanity, or some other disease degeneration, may have set in later, making the dark picture complete.

Unfortunately, natural instinct tends, at times, to make such pitiable family histories more common. Thus, it has been repeatedly observed that the offspring of the insane appear to have a peculiar attraction for one another, whereby the most unfortunate unions are brought about. Of like influence is such foolish legislation as the following: "The lunacy law of Pennsylvania expressly provides that a patient while still insane may go home for

<sup>1</sup> See p. 89



stated periods to resume all his family relations."<sup>1</sup> According to the U. S. Census of 1880, 38 per cent. of the insane were married.

An illustration of the variety of stigmata usually to be found among the collateral members of a degenerate family is given in the following record: M. D., aged forty-eight, an epileptic during the past two years; her father was a drunkard. A sister has a "mother's mark" upon the face. A niece has been an epileptic from her twelfth year; her face is notably asymmetrical, her left ear malformed, there are large "lemurian" outgrowths from her lower jaw, there is a vicious implantation of the lower teeth, she has a right inguinal hernia, a curvature of the spine, and is flat-footed. Another niece has a shaggy "mother's mark" upon the back. M. D. has three children. The eldest, aged nineteen, was backward in learning to walk and talk, he stutters, his lower jaw is poorly developed, his teeth are badly implanted, there is an abnormal projection of the upper dental arch, and the condition of cryptorchism exists upon the left side. The second child, a daughter, aged seventeen, was backward in walking, and has an umbilical hernia. The third, a boy of eight, had convulsions during the first dentition, and suffers from squint and a congenital fissure of the soft palate.<sup>2</sup>

The transmission of degeneracy does not usually reveal itself in the repetition of the special abnormali-

<sup>1</sup> A. W. Wilmarth, M.D., *Journ. Amer. Med. Assoc.*, xxvii., 343, 1896.

<sup>2</sup> Dr. Ch. Féré, *loc. cit.*, p. 215, Paris, 1894.

ties existing in a parent, but rather in some equivalent form, as shown by the family histories cited. Yet it often happens that the precise stigma of the parent reappears. Thus a certain woman who had suffered from convulsions had ten children; all of these had convulsions, and seven of them died from this cause. The brothers and sisters of this woman—ten in number—all had convulsions, and six of them had died from this disease.<sup>1</sup> “A lady died of cancer of the stomach; of her children, one died of cancer of the stomach, and another of cancer of the breast. Of her grandchildren, two died of cancer of the breast, two of cancer of the uterus, one of cancer of the bladder, one of cancer of the axillary glands, one of cancer of the stomach, and one of cancer of the rectum.”<sup>2</sup> In a family of twenty members, ten had hare-lip.<sup>3</sup> In a family of eighty members, twenty-four had supernumerary digits—fingers or toes.<sup>4</sup>

A very sad manifestation of degeneracy is that of deaf-mutism.<sup>5</sup> We must distinguish between the deaf-mutes who are such through congenital defect and those in whom the condition has arisen during early childhood as a result of disease. In the latter

<sup>1</sup> Dr. Ch. Féré, *loc. cit.*, p. 62.

<sup>2</sup> Sir James Paget, quoted by Dr. S. A. K. Strahan, *loc. cit.*, p. 191.

<sup>3</sup> Dr. Ch. Féré, *loc. cit.*, p. 178.

<sup>4</sup> R. C. Lucas, quoted by Dr. Ch. Féré, *loc. cit.*, p. 186.

<sup>5</sup> In Bengal, alone, there are said to be 70,000 deaf-mutes.—*Charities Review*, p. 383. New York, May, 1896. According to Mygind, the number of deaf-mutes in Europe may be estimated at 275,000.—Holger Mygind, *Deaf-Mutism*, p. 17. London, 1894.

cases, there has usually been some congenital predisposition towards aural disease, so that even here we should seldom go wrong in imputing the *indirect* causation to heredity; in the former, the direct influence of heredity is unmistakable.

Statistics<sup>1</sup> give us little idea of the true proportion between these two classes of deaf-mutes, for the cases in which a tracing of the ancestry has been possible are very few. Beyond a doubt, however, the number of "congenital" deaf-mutes is very much greater than is indicated by current statistics.

Congenital deaf-mutism is merely one of the many equivalent forms under which the degeneracy of a decaying human stock is revealed, and in the majority of congenital cases deaf-mutes are found *generally* defective, both in mind and body.<sup>2</sup> "Ordinary deaf-mutism is closely allied to idiocy, and is one of the hereditary neuroses."<sup>3</sup> "In the family of the deaf-mute, inquiry will frequently discover idiotic, epileptic, blind, or scrofulous brothers and sisters; dipsomania, insanity, epilepsy, phthisis, or imbecility in the parents or earlier ancestors, and

<sup>1</sup> According to the researches of Schmalz, 32 per cent. of deaf-mutes are of the "acquired," and 68 per cent. of the "congenital" class. The "acquired" rate varies much, no doubt, with the prevalence of epidemic disease, etc., while the "congenital" rate, as dependent upon heredity, is probably much more constant.—Holger Mygind, *loc. cit.*, p. 12.

<sup>2</sup> Not less than 93 per cent. of the cases of congenital deaf-mutism possess deformities of the head, face, jaws, and teeth.—Dr. E. S. Talbot, *Degeneracy*, p. 282. London, 1898.

<sup>3</sup> Dr. Clouston, quoted by Dr. S. A. K. Strahan, *Marriage and Disease*, p. 161. London, 1892.

like conditions in collateral branches of the family. . . . Occasionally a whole family is found deaf and dumb.”<sup>1</sup> Prof. A. G. Bell found blindness to be 14½ times, and idiocy to be 43 times, as common among deaf-mutes as among the general population.<sup>2</sup> According to Mygind, insanity is twice as frequent among the relations of congenital deaf-mutes as among the relations of those whose deaf-mutism has been acquired, and six times as common among the parents of the congenitally deaf as among people in general.<sup>3</sup> It has been shown that in the United States deaf-mutes have four times as great a tendency toward insanity as individuals of the general population.<sup>4</sup> Among the 3297 deaf-mutes enumerated in the Irish census for 1871, “in 379 instances there were 2 deaf-mutes in the family, in 191 families 3, in 53 families 4, in 21 families 5, in 5 families 6, and in each of 2 families no fewer than 7 deaf-mutes were born to the same parents.”<sup>5</sup> In a certain family of sixteen persons, eight were born deaf and dumb, and one, at least, of this family transmitted the defect as far as the third generation.<sup>6</sup> “The percentage of marriages producing two or more deaf-mute children increases considerably when the investigations include only cases of congenital deafness.” Thus, Wilhelmi found that 24 per cent. of the 224 marriages of this kind produced two or more deaf-mute children. In Denmark, 226 deaf-mutes resulted from 197 marriages, and of these latter 31

<sup>1</sup> *Marriage and Disease*, p. 163.

<sup>2</sup> Mygind, *Deaf-Mutism*, pp. 70, 71.

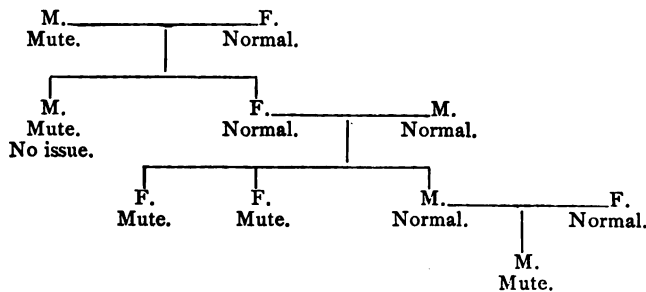
<sup>3</sup> Dr. Strahan, *loc. cit.*, p. 165.

<sup>4</sup> *Ibid.*, p. 169.

<sup>5</sup> *Ibid.*, p. 232.

<sup>6</sup> *Ibid.*, p. 166.

per cent. produced two or more deaf-mute children—which rate is probably too low, since other children were born, no doubt, after the time of the investigation.<sup>1</sup> The following table<sup>2</sup> is instructive as showing the transmission to offspring by apparently normal parents of the family taint of deaf-mutism.



As Dr. Strahan has said, were we not in possession of this family-tree, we should be at a loss to account for the occurrence of deaf-mutism in the last two generations, the parents being normal, and we should be disposed to explain the matter as "a freak of nature"; but the family-tree clearly reveals the source of this degenerate manifestation.

That the congenital variety of deaf-mutism is entirely a matter of inheritance can no longer reasonably be questioned.<sup>3</sup>

Another defective condition, comparatively insignificant, which clearly shows the influence of heredity is that of color-blindness. This condition may arise as a symptom in connection with disease of the optic nerve or of the brain, but in the great

<sup>1</sup> II. Mygind, *loc. cit.*, p. 54.

<sup>2</sup> *Ibid.*

<sup>3</sup> See table, p. 95.





individual, we have here six generations, made up of fifteen males, of whom fourteen inherited the taint, and twenty-one females, who, without exception, escaped it.

Let us now consider some of the evidence tending to show that criminality, also, has its real basis in heredity rather than in environment.<sup>1</sup> The crime which is most abundant and most dangerous for society is that of habitual criminals. These individuals we must regard as having abnormal tendencies which constitute evidence of degeneracy or insanity, or as lacking the capacity for appreciating the rights of their fellow-men to a degree which constitutes moral imbecility. Their criminality, then, is dependent upon certain positive factors, or upon a negative factor, or upon some combination of these. The essential nature of criminality may be schematically represented thus:

Criminality	{	Abnormal tendencies	{	Congenital = Degeneracy.
			{	Acquired = Insanity.
	{	Deficient self-restraint	{	Congenital = Moral Idiocy.
			{	Acquired = Moral Insanity.

Said a Scotch prison physician in 1870: "On the border-land of lunacy lie the criminal populations. It is a debatable region; and no more vexed problem

<sup>1</sup> "Man is born good," said Rousseau; "Society depraves him."  
"It is the fashion, at present, to make society responsible for all evils, all vices, all suffering, and even all crimes" (M. Louis Proal). It is the plea of the anarchists that they are the victims of society, and their cardinal principle that society, and not nature, is the cause of the physical, intellectual, and moral inequalities among men.

comes before the medical psychologist than this,—viz.: where badness ends and madness begins in criminals. . . . From large experience among criminals I have come to the conclusion that the principal business of prison surgeons must always be with mental diseases; that the number of physical diseases are less than the psychical; that the diseases and causes of death among prisoners are chiefly of the nervous system; and in fine that the treatment of crime is a branch of psychology.”<sup>1</sup>

As a basis for the better comprehension of the relation between heredity and criminality, let us glance, for a few moments, at the domain of psychology.

Our conduct is the outward manifestation of our thought and feeling, and to the degree that we understand the requirements of our environment and feel a pleasure in conforming to these, will our adaptation of conduct be harmonious and our life appear perfect. If an individual fall below the average in his adaptation of conduct to the merely natural part of his surroundings we say that he is imbecile; if in relation to his man-made environment, we term him criminal. For the clear comprehension of relations in the external world—the first condition of proper conduct—we must have good senses, wherewith to gather correct impressions; a good memory, whereby such impressions may be retained with distinctness; and an easy-working associative apparatus, by which the correct and distinct impressions already stored may be quickly brought

<sup>1</sup> J. B. Thomson, *Journ. Ment. Science*, p. 487. London, 1870.

together and compared—the process of thought. These departments of our mental life we now know to have their basis in special parts of the brain.<sup>1</sup> As these parts of the brain are, so must be the corresponding manifestations of the mind.

Until very recently, our ideas, or at least a number of them, have been supposed to be simple, undecomposable units; now, we know that they are all exceedingly complex aggregations of impressions made in various areas of the brain cortex, and that through disease of these several areas, the scope of our ideas may be correspondingly reduced or limited. It seems clear that by an obliteration of the memories through which we love or fear persons and things our bearing to these must be altered, for the restraints are thereby removed which such memories have hitherto imposed upon our conduct.<sup>2</sup> On the other hand, an abnormal brain-structure may induce not a crippling of ideas so much as a morbid intensification of certain elements, whereby the several constituents of the idea shall no longer have their proper weight, as it were, but some of them become unduly preponderant, and so the judgment, the emotions, and the resulting actions of an individual shall cease to correspond fairly with the realities of the external world. Now the several areas of the

<sup>1</sup> Appendix, II.

<sup>2</sup> Persons who suffer from circumscribed brain-lesions affecting the formation of ideas in such ways as have been mentioned are often found so changed in appearance, speech, and conduct that they are regarded by the laity, and occasionally by physicians, as insane.—Cf. J. Collins, M.D., *The Genesis and Dissolution of the Faculty of Speech*, p. 407. New York, 1898.

brain concerned in consciousness may be defective or abnormal through some arrest or misdirection of development, or through some process of disease. Correspondingly, certain elements of the "normal" human character may be absent or morbid peculiarities be present, or, having once been present, these normal elements of character may become vitiated, even hopelessly, through disease.

Instances of abnormal character dating from birth, and dependent upon some congenital defect of the brain, are unmistakably clear in the case of idiots and low-grade imbeciles. The acquired vitiation of character in the case of drunkards is further illustration of the dependence of defective character upon defective brain-structure, for here, hand in hand with the gradual failure of all the mental powers—those of the moral realm being the first to languish and the first to expire—we find a progressive degeneration of the brain; and as, in these cases, the brain-structure can never again become normal, we must believe that there is no cure for the accompanying moral perversion or other symptoms of the disordered mind. In certain other cases of great perversion, as in so-called moral idiocy, it is difficult or impossible to establish a basis of structural defect, and to show, upon physical grounds, that such individuals are incurable; yet, in such persons, abnormality of brain has been often found, though the structural defects are so intricate that the pathologist is still unable to trace them with any degree of precision. There can be no doubt, however, for those who have closely

studied these matters, but that the physical basis for the mental peculiarities here in question exists, but escapes full recognition by reason of its complexity. With our present knowledge of mind and brain, the following summary seems fully warranted.

The mental processes cannot occur without corresponding molecular changes in the brain. This is generally conceded alike by the psychologists and physiologists of our time, and is known as the principle of "psycho-physical parallelism." In this sense, and always for practical purposes, the phenomena of mind may be regarded as functions of the brain, wrangle as we will over the question of essential equivalence.

Even that special part of the mental life known as the moral realm, then, cannot exist but as a concomitant of special changes in the brain.

Now, in any individual, whether through disease or congenital defect, any part of the brain may be unchangeably abnormal or absent, and accordingly any special combination of brain-changes may permanently deviate from the normal or be impossible. In such cases, the corresponding mental processes—even those of the moral kind—must be persistently abnormal or impossible. Since, then, there are individuals whose defective brain-condition is incurable, and even insusceptible of amelioration, there are individuals for whom we cannot reasonably cherish a hope of moral reform.

Defective conduct has its root in defective brain-action, which is dependent upon defective brain-structure, and this may be congenital or acquired

—usually through morbid tendencies transmitted by inheritance. Upon heredity, as already said, disease and degeneracy are, in very great degree, dependent; these are the roots from which spring abnormal tendencies and deficient self-restraint: criminality, then, the noxious flower of this twofold growth, is essentially a manifestation of heredity.

It must be clearly understood that *crime* cannot be hereditary, but merely the *tendency* to crime. From a criminal ancestry a man usually inherits such a brain as will evolve an abundance of morbid desires and have but little power of self-restraint. At times the transmitted defect is mainly weakness; at others it is mainly a tendency towards the misdirection of strength. Let us now turn to other evidence tending to support the view that heredity is the essential basis of criminality.

As an eminent authority has said, our correctional institutions hold great numbers of incorrigibles who, in early childhood, were deserted by their parents, had then the advantage of being trained by honest people, and yet reverted to the paths of crime.<sup>1</sup> In spite of an environment apparently favorable to honest living, these individuals fell back to the criminal ways of their progenitors.

Incorrigibles have usually been criminals from childhood, and very few of those who first commit crimes at maturity become habitual criminals. These facts are not only consonant with our theory that the habitual criminal is such through inborn

<sup>1</sup> Dr. H. Kurella, *Naturgeschichte d. Verbrechers*, p. 135. Stuttgart, 1893.

tendency, but are what this theory would lead us to expect. One might urge another interpretation of these facts, it is true, and say that environment exerts a peculiarly strong influence towards criminality upon neglected childhood, and that the individuals who have passed this dangerous period untainted are merely those whose childish years were happily sheltered from maleficent influences. But to this, again, we might reply that the children who are deserted or neglected by their parents or are orphaned have, for the most part, sprung from a bad stock and therefore are the kind of individuals who, according to the theory of heredity, should have a strong tendency towards crime, while the children whose lives are largely sheltered from evil spring generally from a good stock, and so should tend but feebly towards iniquity. The parents of deserted or orphaned children have manifested a criminality of nature by the fact of their desertion, or, as a rule, some vice or other degenerative taint by their premature death. Of such children those coming under the care of the State are almost invariably found to be offspring from the insane, the drunken, the vagabond, or the criminal.<sup>1</sup> On the other hand, the parents who watchfully care for their children until the latter have attained their

<sup>1</sup> It is said of the inmates of a Boston almshouse for children—the Marcella Street Home—that "the greater proportion of them reach the home through the faults rather than the misfortunes of their parents, and that many come from the class of those who people the almshouses and penal institutions. . . . In these children is found a revelation of what is going on in this community, an object-lesson showing the unjust and terrible results of crime and pauperism

maturity exhibit, in this, a certain excellence of physical and mental constitution which implies a good stock. I think that we must place upon the heredity side of the question the fact that foundlings, early deserted, and orphaned children develop so frequently into criminals, and say that whereas a very bad environment may lead astray almost any child,—even the best having inherited a penchant for evil,—those who prove irreclaimable would, for the most part, do badly under conditions the most favorable, and are thus hopeless because of an unusually vicious inheritance.

The influence of heredity is illustrated by the following example. Some years ago, in Paris, sentence was imposed upon three of the five members of a certain family of thieves. "This case presented a circumstance truly worthy of remark. The father had not found equally among his children the disposition which he desired; with the two youngest, and with his wife, he had been obliged to use force, for they resisted to the utmost his infamous commands. The eldest of his daughters, on the other hand, as if by instinct, followed close upon his footsteps; she showed herself quite as ardent and violent as he in her efforts to bend the family towards their wicked proclivities. In one part of the family

which have thus started them into the world weighted with terrible inheritances. In this school, at this time, is a pathetic group of 104 so-called defective children suffering from distinct physical disabilities. They are lame, blind, dull, feeble-minded, idiotic. They have eczema, scrofula, erysipelas, hip disease, syphilis."—*Final Rep.*, Special Com. app. by Mayor to inspect Publ. Inst., p. 46, Boston, 1892.

such an instinct was missing, the inheritance being through the mother.”<sup>1</sup>

Says the Scotch physician already quoted: “Intimate and daily experience for many years among criminals has led me to the conviction that in by far the greater proportion of offences crime is hereditary.” . . . Their moral disease comes *ab ovo*. They are born into crime, as well as reared, nurtured, and instructed in it; and habit becomes a new force—a second nature, superinduced upon their original moral depravity.”<sup>2</sup>

Marro has made the observation that a very large number of criminals—32 per cent.—are the offspring of aged parents (over 40), and for murderers such aged parentage is still more striking—52 per cent. He finds that the criminal offspring of immature parents (under 26 years) are especially prone to theft; that murderers usually spring from old fathers, that the crimes against sexual morality are most frequently perpetrated by the children of old mothers. Marro has studied, also, the temperament and character of many school-children, and finds that the offspring of old parents very much oftener than those of young parents have an irritable or melancholy temperament.<sup>3</sup> It has long been known that the weakness of immature or declining parents is usually transmitted to their progeny, but that

<sup>1</sup> Dr. Paul Aubry, *La contagion du meurtre*, p. 150, 2me édit. Paris, 1894.

<sup>2</sup> J. B. Thomson, *loc. cit.*, p. 488.

<sup>3</sup> *Ibid.*, p. 489.

<sup>4</sup> Dr. H. Kurella, *loc. cit.*, p. 150.

special traits might be thereby induced is a new suggestion. Such observations are of considerable value as showing the force of congenital tendency in the genesis of crime.

There are facts which appear to show upon a large scale that criminality of offspring is traceable to weakness of fathers. According to Kurella, a rapid increase in the number of youthful criminals in Germany has been shown since 1887. He thinks this due in part to the shattering of nerves and general weakness in fathers—and, we may reasonably add, the anxiety of mothers—induced by the bloody war of 1870, and in part to the influence of the feeble men who remained at home and married, while the strong and manly were at the seat of war.<sup>1</sup> So, again, in France, whereas during the period 1826–30 the annual rate for criminals against the person was 1824, this rate rose during the period 1830–35—the time when the offspring of the most trying war-years (1810–15) arrived at maturity—to 2371. And with this accords the fact given by Marro that, in France, the recruits of 1833–34, born in 1812–13 (war-years), were the feeblest of this century.<sup>2</sup> Akin to these observations is the fact that “of 92 children born in Paris during the great siege, 1870–71, 64 had mental or physical anomalies and the

<sup>1</sup> The abundance of cretins—a peculiar type of idiots in Switzerland, Savoy, and Lombardy—should be similarly explained, no doubt. For many generations, the strong and healthy peasants of these regions have been drawn off into the wars, leaving behind the imbecile and those afflicted with goitre to serve as fathers.—*Cf.* D. S. Jordan, *Foot-notes to Evolution*, p. 284. New York, 1898.

<sup>2</sup> Dr. H. Kurella, *loc. cit.*, p. 151.

remaining 28 were weakly, 21 were intellectually defective (imbecile or idiotic), and 8 showed moral or emotional insanity."<sup>1</sup> These defective children were popularly known as "enfants du siège." So, after the financial crisis of 1875-80 in Berlin, there was a noticeable increase in the number of idiots born.<sup>2</sup>

It often happens that a matter appears due wholly to "social" factors when a closer study shows that its fundamental cause is heredity. An interesting example of the kind is supplied through the result of Marro's investigation into the relation between criminality and divorce. He found that in 65 out of 72 marriages with criminal offspring, followed by divorce, the cause of separation was insanity, epilepsy, or addiction to drink. When we reflect upon the knowledge which we have of such matters, it seems clear that the criminality of the offspring here was due rather to the hereditary transmission of abnormality—the parents being so abnormal as to require divorce—than to the neglect and other unwholesome influences emanating from the parental separation.<sup>3</sup>

Some years' residence among the wage-earners in the villages and small towns of East Prussia convinced Kurella that a life-long fare of potatoes and sauerkraut and a deep debasement in hopeless dependence, contempt, and dirt do not suffice to make criminals out of men who start in life with normal constitutions. A certain proportion of the individuals subjected to these sad conditions become enfeebled and eke out their scanty fare by the addition

<sup>1</sup> Dr. E. S. Talbot, *Degeneracy*, p. 59. London, 1898.

<sup>2</sup> *Ibid.*, p. 60.

<sup>3</sup> Dr. H. Kurella, *loc. cit.*, p. 152.

of stimulants, and from these there comes an offspring which is weak and degenerate, and therefore predisposed toward crime; but the majority of these ill-used laborers combat successfully their adverse environment.<sup>1</sup> For the conversion of good stock into criminal stock, it would seem requisite that a specially evil environment should persist through at least several generations—unless the infusion of vicious blood hasten the process of contamination.

Habitual criminals are invariably degenerates, moral imbeciles, or insane, and the family-trees of such individuals indicate clearly the causal relations which heredity bears to crime. Typical genealogical tables here follow.<sup>2</sup>

Certain historic families have been notorious through their hereditary transmission of wicked character, as, for example, the Cæsars and the Farnesi, and with these we may instance the well-known "Jukes," so carefully studied by Dugdale. "Lord Granville used to say of his own family, 'They always quarrelled, and always will quarrel from generation to generation.'"<sup>3</sup> Among 546 habitual criminals in Hesse, two-thirds of the number were found to belong to criminal families known as such for four generations.<sup>4</sup> As has been often noted, incest is frequent among the members of criminal families, and this must induce a rapid intensification of degeneracy.

The remarkable prevalence of crime along certain

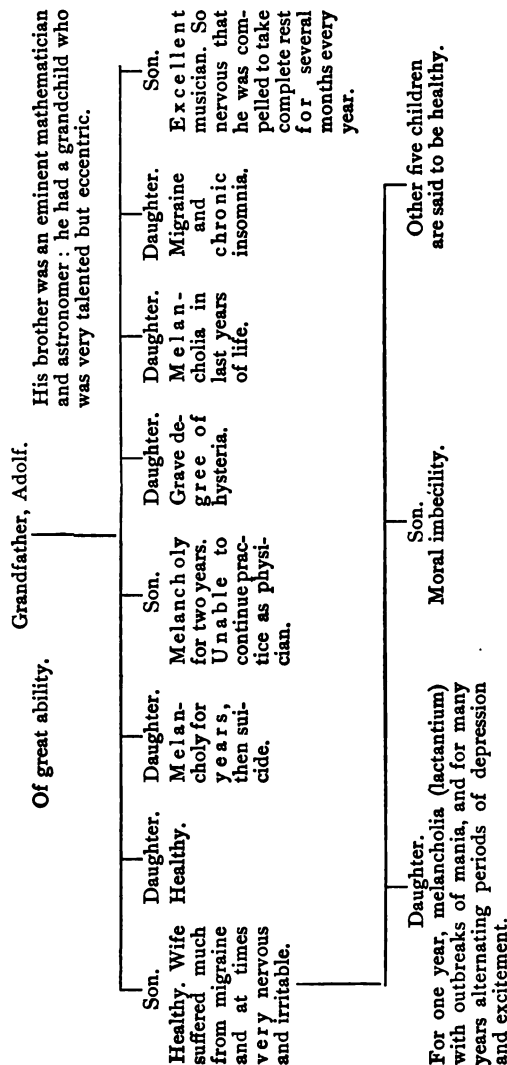
<sup>1</sup> Dr. H. Kurella, *loc. cit.*, p. 170.

<sup>2</sup> See pp. 109, 110, 111.

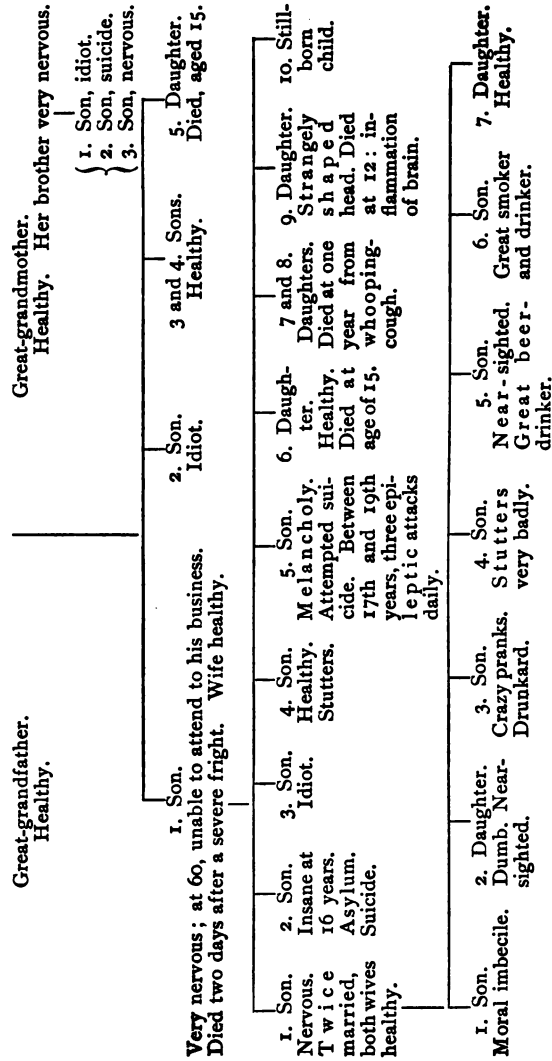
<sup>3</sup> J. B. Thomson, *loc. cit.*, p. 488.

<sup>4</sup> Dr. H. Kurella, *loc. cit.*, p. 142.

# FAMILY OF A MORAL IMBECILE<sup>1</sup>



<sup>1</sup> Prof. Otto Binswanger, *Volkmann's Klinische Vorträge*, No. 279, p. 23. This table is slightly abbreviated.

FAMILY OF A MORAL IMBECILE<sup>1</sup><sup>1</sup> Prof. Otto Binswanger, *loc. cit.*, p. 24, slightly abbreviated.



family-lines would appear, when taken by itself, amply accounted for by the doctrine of environment—the influence of bad example, etc.—but when viewed in the light of our present wide knowledge, it is hard to doubt that the founders of such families have been, mentally or physically, degenerates, and that their descendants have been predisposed toward a ready following of bad example because innately weak or vicious. It is highly probable that the debasing influence of a degenerate ancestor would speedily disappear were his descendants to marry into healthy families and live amid a wholesome environment—but, unfortunately, to the degree that they have inherited the ancestral taint, they are disinclined to seek such favorable conditions.

There has been described by a recent writer, as “a land of born criminals,” a district in Italy very remarkable for the long historical continuity of its intense criminality.<sup>1</sup> The district appears as an oasis of savagery in the midst of a civilized people. The extraordinary abundance of its crime would be inexplicable were it not for our knowledge of heredity. Perched upon a hill, with a magnificent view of the fields spreading toward the mountains of Latium, it appears to the stranger a land of delights, where the inhabitants must be gentle and peaceful as the sweet smile of nature by which they are encompassed. The people (4104, by the last census) are almost all engaged in agriculture; the soil is fruitful, and, if they are not rich, the misery

<sup>1</sup> Professor Scipio Sighele, “Un pays de criminels-nés,” *Arch. de l'anthropol. criminelle*, x., 1895.

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of poverty is unknown. In spite of such conditions, the people of Artena are regarded by the neighboring country as thieves, brigands, and assassins, and this reputation they have held for centuries—at least since 1155 A.D., when their crimes began to find a constant record in history. In 1557, Pope Paul IV. proclaimed an edict of banishment against this whole people, and any one who so wished was authorized to kill them. Yet, even such an extreme measure did not serve to extirpate this nest of evil and, generation after generation, despite the untold severities of cruel legislation, the laws of heredity were not annulled, nor the customs of this hard people softened. While during the latter half of the present century, crime has generally become less ferocious, in Artena its barbarity and cruelty have not only remained but have even gained in intensity. It has been noticeable that the same names have been constantly reappearing, generation after generation, as the perpetrators of crimes, showing the transmission along certain family-lines.

ANNUAL NUMBER OF CRIMES AND MISDEMEANORS  
PER 100,000 INHABITANTS

	ITALY.	ARTENA.	
	1875-1887	1852-1872	1872-1888
Homicides .....	9.38	52.50	61.50
Assault and battery.....	34.17	205.00	
Highway robbery.....	3.67	82.50	145.50
Theft.....	47.36	142.50	211.50

The record of criminal statistics for Artena begins only in the year 1853; for all Italy, only in 1875. The above table permits an impressive comparison.

Such criminal figures as those of Artena, for murder at least, says our informant, have never been reached by any civilized country. For comparison of them with those of other countries, he presents another table.

#### HOMICIDES PER 100,000 INHABITANTS

Italy.....	accused, 12.67	.....	condemned, 9.86
Spain.....	" 8.59	.....	" 5.54
Belgium.....	" 2.52	.....	" 2.01
Austria.....	" 3.14	.....	" 2.28
France.....	" 2.13	.....	" 1.49
Germany.....	" 1.14	.....	" 0.94
Ireland.....	" 1.93	.....	" 1.08
England.....	" 1.08	.....	" 0.60
Scotland.....	" 0.94	.....	" 0.60

In this district of Artena, as our informant remarks, crime has become for a certain minority (sufficiently large) the normal and daily means of subsistence; it is not a sporadic and transitory phenomenon, but has gone on increasing with the centuries, until its infection has spread to almost every part of Italy. The great cause he regards as heredity and, secondarily, the isolated position of the people.

There is a certain wide-spread phase of immorality, essentially criminal, which appears to show quite distinctly the influence of heredity. The immorality measurable by illegitimacy of offspring varies greatly in different parts of the world, but this variation appears so constant that we may predict concerning it

with a fair degree of accuracy. The following table<sup>1</sup> illustrates well this rate-constancy of illegitimacy.

ILLEGITIMATE BIRTHS IN ENGLAND, SCOTLAND,  
AND IRELAND SINCE 1879

	ENGLAND.	SCOTLAND.	IRELAND.
1879.....	42,189	10,727	3,367
1880.....	42,542	10,589	3,203
1881.....	43,120	10,484	3,198
1882.....	43,155	10,546	3,268
1883.....	42,646	10,114	3,049
1884.....	42,667	10,439	3,199
1885.....	42,793	10,680	3,218
1886.....	42,838	10,506	3,079
1887.....	42,134	10,365	3,181
1888.....	40,730	9,968	3,124
1889.....	40,627	9,643	3,049

It appears that neither poverty, lack of education, the corrupting influence of cities, form of religion, nor peculiarities of legislation can explain a high rate of illegitimacy. The fundamental explanation is to be found only in hereditary predisposition.<sup>2</sup>

It has been shown that "a line drawn on the map of France between Normandy and Brittany, and running southeasterly to Lyons and Geneva, very accurately divides those departments of France where illegitimacy is largely prevalent from those where it is comparatively rare; and, singularly, this is also a line of demarcation between the races that are supposed to have intermingled in the blood of the Frenchman

<sup>1</sup> Albert Leffingwell, M.D., *Illegitimacy*, p. 6. London, 1892.

<sup>2</sup> *Ibid.*, p. 30 *et seq.*

of to-day."<sup>1</sup> Similarly, in England it has been pointed out that the region south of the Thames—excluding London—where the people are mainly descendants of the old Saxons, there is a low rate of illegitimacy; in Wales and in the counties occupying the territory of ancient Mercia, the rate is higher; while in the northern counties, with a population mainly of Danish descent, the rate is exceedingly high.<sup>2</sup> The high rate of illegitimacy in Washington—about three times that of London—is due almost entirely to the negro element of the population.<sup>3</sup>

This causal relation of heredity to illegitimacy is attested also by Dugdale. He states that there is "harlotry in the 'Juke' blood"; that in five generations of this family, the percentage of harlots was 52.40, whereas the percentage for cities, as estimated by good authorities, is 1.66,—although Dugdale thinks it about 1.80,—which makes the prevalence of harlotry among the "Jukes" over twenty-nine times greater than the average in cities. As one of the "tentative inductions" which he has formulated from the mass of information gathered during his careful investigation, we find the following: "Harlotry may become a hereditary characteristic and be perpetuated without any specially favoring environment to call it into activity."<sup>4</sup> In this matter of illegitimacy, then, which is so near akin to crime, we must see the essential cause not in chance nor environment but in heredity.

<sup>1</sup> Albert Leffingwell, M. D., *Illegitimacy*, p. 54. London, 1892.

<sup>2</sup> *Ibid.*, p. 55.

<sup>3</sup> Appendix, 12.

<sup>4</sup> R. L. Dugdale, *The Jukes*, p. 26, 5th edit. New York, 1895.

Strong corroborative evidence for the view that criminality is a condition essentially dependent upon the physical and mental constitution of the individual rather than upon the environment may be drawn from our knowledge of the lower animals, among which the analogue of almost every crime has frequently come under observation. Thus, there are thievish bees which organize into bands and then live solely by plunder, murdering the sentinels and inmates of the hives which they ravage. There is a variety of bees—the *Sphecodes*—which live entirely by pillage. These are “born criminals,” for their tendency toward depredation upon their kind is evidently innate, a matter of organic constitution.<sup>1</sup> It is a very interesting fact that the ordinary honest working-bee may be transformed into a thief by feeding it upon a mixture of brandy and honey; upon such a diet, bees become irritable and lazy, and, when pressed by hunger, will attack and rob the hives. This fact might be misinterpreted, for it might be thought that if criminality may be induced in normal bees merely through such a change in environment as consists in a peculiar feeding, we should regard this as evidence for the belief that the fundamental cause of crime lies in environment. But the fact in question merely goes to show that the environment may induce degeneration in the congenitally normal, but does not conflict with the view, so well established, that degeneracy may be inborn. It has been pointed out that, in almost every dove-cote, there are certain pigeons which,

<sup>1</sup> Wm. Ferrero, *Forum*, xx., 492. 1896.

instead of gathering for themselves the straw which they require in nest-building, endeavor to steal from their neighbors; and, in correspondence with their thievish propensities, these pigeons are generally found to be lazy and, because of their slow flight and proneness to lose their way, to be unworthy of confidence as carriers.<sup>1</sup> The analogue of human infanticide is very common among the lower animals. Some females regularly abandon, and others kill, their young. A pigeon in a dove-cote has been observed to kill every brood by crushing the skulls with her beak.<sup>2</sup> Evidently, in such cases, there is an organic brain-defect. Crimes dependent upon a kind of insanity are recognized as occurring among certain animals. Thus, it may happen that an elephant—an animal usually of a most peaceable disposition—becomes demented, and roves through a region beset by a frenzied desire to kill any man or other living creature which it may encounter. A very curious instance of a callous moral sense among the lower animals is supplied by those species of ants which steal from other species their young, while still in the chrysalis stage, and bring them up as slaves. The fact that such slavery is maintained among certain species of ants is now fully attested.<sup>3</sup>

An impressive feature of the relation between heredity and crime, and, indeed, between heredity and every other manifestation of evil, is found in the

<sup>1</sup> Wm. Ferrero, *loc. cit.*, p. 493.

<sup>2</sup> *Ibid.*, p. 495.

<sup>3</sup> Cf. Prof. R. Hertwig, *Lehrb. d. Zoologie*, p. 134, Jena, 1893; also Prof. Wm. Marshall, *Leben u. Treiben der Ameisen*, p. 75 et seq., Leipzig, 1889.

possible influence of each individual toward a wide and incalculable injury of the whole human race. The rapid diffusion of influence through descent is, in a general way, very readily demonstrated. Assuming the offspring of each pair of parents to be only two individuals, a man's descendants would double with each generation, until, at the twenty-sixth generation, they would number 67,006,624; and in a few generations later the number would equal that of the whole population of the earth. On the other hand, our ancestry, if we go back only a few centuries, is as wide as the peopling of a continent; if we trace it very remotely, it appears co-extensive with the human race.<sup>1</sup>

We must recognize, then, that the weak and the vicious who, a few centuries ago, were suffered to have a share in the world's parentage, have transmitted to us all some of their weakness and depravity; on the other hand, the "defectives" and criminals permitted, in this generation, to multiply their kind, are creating a stream of foulness which will surely, some day, mingle with and defile the blood of our own direct descendants. Generation after generation, the ever-widening circles of hereditary influence approach one another, those of the noblest and those of the vilest human progenitors, until they overlap and completely coincide, with the sad result that all of mankind are kept at one low level. A strong tendency toward reversion to the normal type is frequently manifested in heredity, and this influence has nullified, no doubt, much of

<sup>1</sup> Appendix 13.

the evil which, otherwise, would have been transmitted from remote ancestors; but we must remember that this tendency toward the normal is assisted by some, and combated by other, conjugal unions, and that, as said elsewhere, the affinities of the degenerate incline them toward unfavorable unions.

It is a general biological law that the lower the position of an animal in the scale of being, the greater its capacity for the reproduction of its kind. This law holds generally in the case of man, and goes far to explain the exceeding slowness of human progress. Not only are men of the superior type much more rare than those of the inferior, but the latter are very much more prolific. Cherishing, as we do, the offspring of the very worst of men, we thereby add to the already overwhelming odds against which the race struggles toward perfection.

It has now been sufficiently shown, I trust, that heredity<sup>1</sup> is the fundamental cause of human wretchedness. Environment—essentially the influence of heredity in previous generations—is a mighty factor, too, but, as Kurella has remarked, it is no more the *cause* of the human tendencies which it influences than is digitalis, when it modifies the action of heart and arteries, the *cause* of the circulation of the blood. In our veins flows the blood of ancestral imbeciles, lunatics, and criminals: small wonder, then, that we should continually suffer, ourselves, and constantly harass our neighbors, through our weakness, our eccentricity, and our crime!

<sup>1</sup> I would remind the reader that the word is used in its broadest sense, as explained in the note on page 76.

## CHAPTER IV

### THE DEFECTIVE CLASSES

WE now come to a more special consideration of those individuals who, through their weakness or vice, are known as "defectives." Their number is appalling, and the burden which they impose upon the better portion of society is ever increasing. Their support and restraint require a vast series of institutions,—asylums for idiots and imbeciles, for the insane, for insane criminals, for drunkards, for paupers, for those afflicted with incurable disease, for the deaf and dumb, for the blind, colonies for epileptics, and innumerable hospitals, reformatories, and prisons. From the teeming mass of defective humanity, let us select for our more detailed attention the idiot, the imbecile, the epileptic, the drunkard, and the criminal.

*The Idiot.* There are certain human beings whose mental powers are exceedingly undeveloped: the lowest grades of such persons are grouped together as "idiots," the higher as "imbeciles" or "weak-minded." According to the census of 1890, there were in the United States 95,571 persons classed as feeble-minded and idiots. Doubtless the number

was really much larger, for a family will not readily admit the existence of such a defective individual among its members. An illustration of this tendency toward concealment is given in the results of an investigation conducted by Dr. Kerlin. He found that among 295 applications for admission to his school for the feeble-minded at Elwyn, Pa., in 1880, 178, or 60 per cent., of the applicants could not be found in the list of the census enumerators.<sup>1</sup> The dividing-line between idiots and imbeciles is ill-defined, but it is convenient for us to distinguish between them, for the idiots—more pitiable in appearance but not so in reality—are much less numerous and less dangerous for the community than are the imbeciles who permeate society, their defective calibre and noxious influence often escaping recognition.

Idiocy is the lowest manifestation of human degeneracy. It is usually a vicious inheritance, but occasionally it is the result of accident during intra-uterine life, at the time of parturition, or in infancy or early childhood. There is usually a marked difference between the appearance of the congenital idiot and that of the idiot in whom the condition of idiocy has been acquired, the former having, as a rule, very repulsive features, while those of the latter may present an attractive aspect, with seeming promise of a normal development—impossible of fulfilment, these cases being the most hopeless. The distinction between the congenital idiot and the normal child appears in the earliest infancy,

<sup>1</sup> A. W. Wilmarth, M.D., *J. Amer. Med. Assoc.*, 1896, xxvii., 342.

becoming more sadly evident as the days pass by. The healthy child is vigorous, evinces anger and joy, laughs and cries; the idiot is flabby, displays no feeling but that of hunger, does not laugh, and its tears flow without apparent cause. The one sits, crawls, and climbs; the other crouches, listless and inert. One begins to speak; the other only moans. One lays hold of everything within its reach; the other will not stretch its hand even for food, and often would starve were not food placed within its mouth or even pushed down its throat. One is keenly alive to every impression made upon its senses; the other, passive and unimpressible.<sup>1</sup> Later in life, certain idiots are found in almost constant agitation, tossing their heads monotonously from side to side, flinging themselves against the walls or floor, or wandering aimlessly about the room, uttering the while, perhaps, inarticulate cries; others, doubled upon themselves, sit with an indifference to the world closely resembling the apathy of death. Some idiots manifest a very strong propensity to hurt or to destroy everything coming within their reach, and this, combined with a monkey-like tendency to imitation, occasionally results in a tragedy—as when, a few years ago, an idiotic boy killed a child, hung it up, and dressed it as he had seen a sheep dressed, or as another idiot butchered a man as he had seen a hog butchered.\*

<sup>1</sup> Edw. Seguin, M.D., *New Facts and Remarks Concerning Idiocy*, 1870.

\* E. C. Spitzka, M.D., *Manual of Insanity*, p. 280, 1892.

Some idea of the effort required to better the condition of these wretched beings may be derived from a consideration of the training which they receive in the best-conducted asylums. The substance of what follows, in this connection, is drawn from a well-known French authority.<sup>1</sup> For an effective education of the idiot the lessons must be regular and the teacher must have great patience. Almost all idiots have some instinct of self-preservation: often this is the only point of character through which the educator's influence can be brought to bear. Through desire for a bonbon, the idiot may usually be taught to extend his arm, to grasp an object, and, in the case of the dainty, to convey it to his mouth. But there are idiots who appear to experience no sense of hunger, in which case it is exceedingly difficult to teach them to feed themselves, and without assistance such idiots would surely starve. In such cases the teacher requires "a very strong will and very great energy" to achieve success. "Indeed, to obtain a good result in so low-grade an idiot several hours must be devoted to him every day."<sup>2</sup> The teacher must eat before the idiot, taking pains that the child shall see each motion, the process of slow mastication, and the act of swallowing; at the same time, the child must be made to put food into its mouth with its own hand, in the hope that it will dispose of it in imitation of the teacher. It is of much importance that the latter eat very slowly, for many of these children

<sup>1</sup> Dr. Jules Voisin, *L'Idiotie*. Paris, 1893.

<sup>2</sup> *Ibid.*, p. 254.

are gluttonous and swallow their food in unmasticated masses, whereby their health is greatly damaged. To frustrate this evil tendency, Seguin has proposed to attach to each morsel of meat a stout silken thread by which it may be drawn forward every time that the child tries to swallow it as a whole. "Every day at meal-time, this same training must be renewed, and, after several months or several years, you will succeed in enabling him to feed himself and to eat properly."<sup>1</sup> The labor of teaching an idiot to eat is long and wearisome. "For one child alone the teacher must expend at least one hour in the morning and one in the evening, merely to make it eat. Then, further, he must devote more than an hour to its dressing or to make it walk."<sup>2</sup> The teacher or nurse cannot, in the working-day, take charge of more than five or six children, if good results are to be obtained.

The training of the idiot consists essentially in the developing of its senses. Almost all idiots are defective in the muscular sense: they find it difficult or impossible to grasp or take anything in the hand, to walk, run, stand, sit, or even to keep still. These functions which come so naturally to the normal child are acquired by the idiot—if at all—only through a long and wearisome course of education. The act of "prehension," the taking of an object in the hand, is executed with great difficulty by the majority of idiots, and they require a prolonged training to accomplish it. The idiot must

<sup>1</sup> Dr. Jules Voisin, *loc. cit.*, p. 255.

<sup>2</sup> *Ibid.*, p. 257.

be exercised, with tedious repetition, in the practical gymnastics of daily life—in the muscular co-ordinations involved in the putting on of clothes, in buttoning, lacing, combing and brushing, and the washing of face and hands. Says Maudsley<sup>1</sup>: “The application of more than a year’s patient labor in training an idiot’s fingers to learn to button a button has been acclaimed as a triumph of, and proclaimed as an incentive to, perseverance.” In the case of the restless idiots—those who are in constant agitation—the first power to develop is that of keeping still; “but what patience, will, and ingenuity, on the part of the teacher, does that require! Yet, at the end of several weeks or months, the desired result may be attained; but for this, the teacher must give his entire attention to the one child. Daily, he must pass hours and hours in holding the child with its hands fixed before it, on a chair or standing.”<sup>2</sup> After some degree of progress has been achieved in the development of the muscular sense, the other senses must undergo their appropriate gymnastics—a higher and more difficult education.

As a result of all this labor, many of the higher-grade idiots become capable of doing some kind of simple work while under direction, thus contributing toward their maintenance; but if supervision be withdrawn, they quickly forget the influence of their training, and relapse into their natural inability. Says our authority, of the task here laid upon

<sup>1</sup> Henry Maudsley, M.D., *Pathology of Mind*, p. 338. London, 1895.

<sup>2</sup> Dr. J. Voisin, *loc. cit.*, p. 262.

the physician:<sup>1</sup> " He must make of the useless and even harmful being one who if not useful to society shall be at least harmless. What work more beautiful or more worthy of the undertaking! " But is it not rather a wicked waste that this wealth of intelligence and devotion should be lavished upon these inappreciative, half-human beings, while countless children with clear intelligence and strong affection, who would repay tenfold all that was bestowed upon them, are neglected and suffered to perish? Says an eminently humane writer: " The spiritual or intellectual side not having been developed in the idiot, he is so closely allied to the brute creation that he is less to be pitied than you think. A great deal of sympathy is wasted upon him. He does not suffer half so much as is commonly supposed."<sup>2</sup> " In the city of Aosta the goitrous *cretin* has been for centuries an object of charity. The idiot has received generous support, while the poor farmer or laborer with brains and no goitre has had the severest of struggles. In the competition of life a premium has thus been placed on imbecility and disease. The *cretin* has mated with the *cretin*, the goitre with the goitre, and charity and religion have presided over the union. The result is that idiocy is multiplied and intensified. The *cretin* of Aosta has been developed as a new species of man. In fair weather the roads about the city are lined with these awful paupers—human

<sup>1</sup> Dr. J. Voisin, *loc. cit.*, p. 248.

<sup>2</sup> Dr. F. H. Wines, *Rep. Eighth Sect. Internat. Cong. Char., Correct., and Philan.*, p. 21. Chicago, June, 1893.

beings with less intelligence than the goose, with less decency than the pig. The asylum for *cretins* in Aosta is a veritable chamber of horrors."<sup>1</sup> Further, these idiots have almost invariably defective bodies and die early, so that they have little time to enjoy—if such half-alive<sup>2</sup> beings can be said to enjoy—the gains achieved for them at such great cost. "Puberty is a perilous period for idiots, the demand made on their feeble vitality by its developmental changes leading to many deaths soon after it. In like manner premature senility is frequent among them; their low stock of vitality being unable to last the length of a normal life, they are old in youth and die of decay when still young in years."<sup>3</sup> "Idiots rarely reach maturity."<sup>4</sup>

The best that has yet been proposed for the solving of the idiot question is that these poor sub-human things shall be collected into asylums where they can do least harm, be made most comfortable, and absorb from the worthier individuals of the race the smallest amount of wealth and effort. But this solution of the problem is far from being satisfactory. The expense which the proper care of idiots in asylums would entail is enormous. A recent writer, pleading for the State care of the feeble-minded,—with inclusion of the idiotic,—estimates the annual expenditure which this would require in

<sup>1</sup> D. S. Jordan, *Foot-Notes to Evolution*, p. 284. New York, 1898.

<sup>2</sup> "Alike in sensory, motor, trophic, and intellectual functions it [the idiot] is but half alive."—Maudsley, *loc. cit.*, p. 338.

<sup>3</sup> Maudsley, *loc. cit.*, p. 336.

<sup>4</sup> Dr. E. C. Spitzka, *Insanity*, p. 280. New York, 1892.

the United States at \$16,500,000.<sup>1</sup> This estimate finds corroboration in the statement of another writer to the effect that, at the close of 1892, the nineteen public institutions of the country (caring for one-fifteenth or one-sixteenth of the entire feeble-minded population, as enumerated by the census) had involved an outlay for their buildings and grounds of more than \$4,000,000, while the annual expenditure for instruction and maintenance of these defectives was over \$1,000,000.<sup>2</sup>

Now, when we reflect upon the vast amount of wealth and affection which these semi-human automata absorb, to the disadvantage of the better part of the race, the frequent positive mischief, with occasional homicide, which they perpetrate, and, on the other hand, upon the usual brief duration of their life and the very inconsiderable enjoyment which, at the best, it can bring them, it would hardly seem that we are justified in preserving them merely because of an abstract sentiment for which reason can give no warrant.

*The Imbecile.* The proportion of imbeciles among the population of any civilized country is exceedingly large. If by the term "imbecility" we mean such a weakness of mind as renders an individual incapable of perceiving the lessons which experience should teach, of storing these profitable memories for future use, and of thereby adjusting his conduct

<sup>1</sup> Dr. A. C. Rogers, *Rep. Eighth Sect. Internat. Cong. Char., Correct., and Philan.*, p. 12. Chicago, June, 1893.

<sup>2</sup> W. E. Fernald, M.D., *Hist. of Treat. of Feeble-Minded*, p. 14. Reprint from *Rep. Proceed. 20th. Nat. Conf. Char. and Correct.*

more and more wisely to his environment, then the number of imbeciles in any country vastly exceeds that given by its census. Certainly, as we all must recognize, the number of men who, despite perhaps a wonderful talent for music or other art, high scientific attainments, or profound learning, habitually act like fools, is very large. It is the essential purpose of the human mind to keep a man in a wholesome and advantageous relation with his environment: when an individual mind fails habitually to do this, it is weak in its most important function, and a man with such a mind may properly be called an imbecile. The most marked characteristic of the imbecile is deficiency not of intellect but of a higher capacity which serves to co-ordinate all the mental processes into a harmonious power which shall make for the true welfare of the individual—a strong and prudent will. But it is only with the lower grade of imbeciles that our plan has to do, so to them we shall confine our attention.

These inferior imbeciles are imperfect not only in mind but in body. They are very weak in intellect, are frequently beset by morbid impulses and desires, and are exceedingly deficient in self-control. The physical stigmata of degeneracy are very common among them. A large number of them are epileptic, and their senses of sight, hearing, and touch are very often defective. They are usually short-lived.

The degree to which these imbeciles can make themselves useful is, as a rule, very small, for while many of them can be taught to do fairly good work of a simple kind, it is possible only under constant

direction, and when left to themselves they relapse into idleness and mischief. The support of the imbecile almost invariably devolves upon the public, for, sooner or later, asylum, hospital, or prison becomes his home. Says a recent writer: "Since my experience as a teacher of imbeciles began, perhaps twenty of my boys have gone out to work for themselves. Fitted by their education to do some work well, under patient direction, they are still, so far as I can learn, for the greater part of the time, inmates of the infirmaries, working for a while and then, as one of them told me, 'resting.' Of course, an occasional child makes a moderate success of life, but only an occasional one. The great majority are sooner or later to become public burdens, usually after they have married an equal or inferior in intellect, and brought into the world children who are a shade less desirable members of the community than the parents."<sup>1</sup> It was, at one time, believed that through improved methods of training fifty or seventy-five per cent. of the feeble-minded might be rendered self-supporting; but it is now admitted that not more than ten or fifteen per cent. can maintain themselves as independent members of the community.<sup>2</sup>

But not only through their helplessness do imbeciles afflict society; in many ways they work a very positive mischief. Says the teacher<sup>3</sup> of imbeciles

<sup>1</sup> Martha Louise Clark, *Arena*, x., 790.

<sup>2</sup> Prof. A. G. Warner, *American Charities*, p. 281. New York, 1894.

<sup>3</sup> Martha Louise Clark, *loc. cit.*

already quoted: "Of all the streams of evil which flow into the national blood no one is more productive of mischief than that of imbecility. . . . Two of my boys are embryo murderers, utterly vicious, almost entirely destitute of any good trait; one has a certain pride in keeping pace with others, but once outside, where it will be utterly impossible for him to do so, his only saving grace will disappear and his innate viciousness assert itself. Some day he will commit murder, as inevitably as the freed tiger will do so. Being a human beast of prey, the safety of society will demand his death, though he is no more responsible than is the dog who knows that it is wrong to bite but does it. . . . My boys show in almost every instance a natural cunning, an aptitude for stealing, and great dexterity in concealment. . . . Though I am able sometimes to teach them temporary honesty, I can in no instance feel certain that it will endure under temptation, because of their weakness. Education helps them for the time being, but its benefits are practically annulled by the after-life of strife and exposure into which they must go. . . . Belonging to the brighter class most of them are moral more than mental imbeciles, and the moral imbecile is as incapable of being thoroughly reformed as the mental imbecile is of learning Greek. . . . There is no doubt in my mind that the brutal imbecile is responsible for many of the outrages committed in lonely out-of-the-way places, for murders done with almost no motive. With strong passions, no power of resistance, and feeble comprehension of

consequences, prospective punishment does not frighten him."

There are certain imbeciles who seem beset by an impulse towards incendiarism, as a gratification of revenge for some real or fancied injury, or with no ascertainable motive, unless, perhaps, a pleasure in the mere sight of a conflagration. In the former case the imbecile may be such only morally; in the latter, his intellect likewise is involved. There can hardly be a question but that a large part of the annual destruction of property by fire has been wrought by the hands of imbeciles. Innumerable cases of imbecile incendiarism might be cited, but the following will suffice to give some idea of their frequent enormity.

Two weak-minded boys, aged thirteen and fourteen respectively, wandered through a rural district together and lighted many conflagrations, destroying even entire villages, for the mere pleasure of seeing the flames. Both boys belonged to feeble-minded families. They were found to present physical stigmata of degeneracy, and to be deficient in judgment, moral sense, and will; they were declared irresponsible and were committed to an asylum.<sup>1</sup>

A girl of eleven years, an illegitimate child of a woman who was a half-cretin, vicious, thievish, untruthful, tricky, and greedy, was employed in tending goats. A father forbade her visiting his little girls: she burned his house. Four days later, she burned the house of an old woman, aged seventy-one,

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<sup>1</sup> Dr. J. Dumaz, "Les incendiaires en Savoie au point de vue médico-légal," *Annales méd.-psych.*, 7<sup>sc</sup>, 1894, xx., 381.

because chidden for letting her goats feed in the latter's pasture. Five days after this event she burned another house because its owner had negotiated with her guardians for taking her into his employ, an arrangement which was not to her liking. An attempt was made to elicit her better feelings by a recital of all the sufferings she had brought upon her little playmates through the destruction of food, clothing, and home, but she remained impassive, expressing neither regret nor pity. She was quite intelligent, and could read, write, and work. Declared irresponsible, she was shut up in an asylum.<sup>1</sup>

In 1892, there occurred in an Austrian village, within four days, thirteen fires of incendiary origin, which consumed, to a greater or less degree, property as follows: on the first day, a cow-stable, a swine-stable, and a loft; on the second day, three barns, another farm-building, and a cow-stable; on the third day, a swine-stable, and a horse-stable; on the fourth day, a horse-stable, a bed in a house, and an attic. After some weeks of search, the criminal was found to be a girl, aged eighteen years, a daughter of one of the persons damaged. During the fires her behavior had not attracted any special attention. She had expressed regret at the events in a natural way, and even wept bitterly after having said that "we have lost everything and are now really beggars." No motive could be assigned for her acts. She was herself a sufferer by them. Through the examination conducted by Vienna experts, it was

<sup>1</sup> Dr. J. Dumaz, *loc. cit.*

made clear that the girl was physically, intellectually and morally undeveloped. Her father, paternal grandfather, and one sister were epileptics, but the existence of epilepsy in the girl herself was excluded. During the course of examination, she gave no indication of regret. She confessed to have found amusement in the excitement which her conflagrations occasioned among the neighbors.<sup>1</sup>

Two youths arrested near Boston, Mass., recently were found to have caused, during a period of seven months, a long series of incendiary fires, whereby property to the value of \$1,500,000 was destroyed. They were apparently weak-minded.<sup>2</sup>

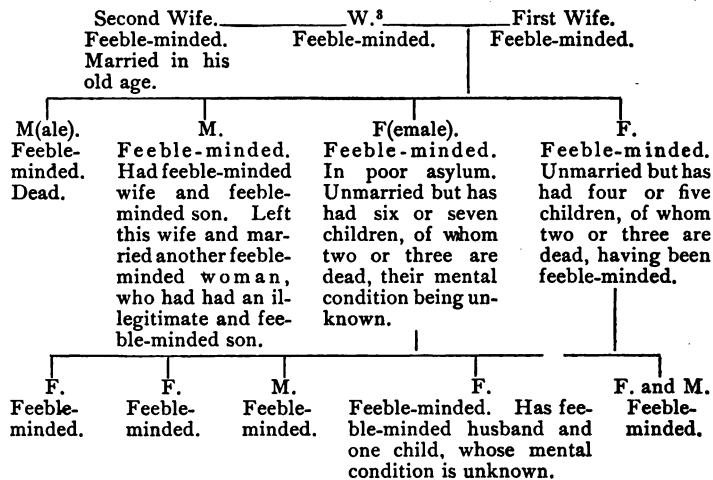
One of the most appalling features of the imbecile is the marked tendency toward reckless multiplication of his noxious kind. This tendency is more easily traced in the female, who, being too deficient in intelligence for her own protection, becomes readily the mother of many illegitimate children. Among the typical inmates of the poorhouses, we find almost invariably a certain number of imbecile mothers with their illegitimate offspring. "It is not at all uncommon for entire families of children to be brought, one after another, to State schools for imbeciles. Two out of a family are an every-day occurrence. One family of seven went to the Pennsylvania Institution, all born in an infirmary, of an imbecile mother. In one instance we have had five brothers, also from an infirmary, and the mother

<sup>1</sup> Prof. Krafft-Ebing, *Friedreich's Blatt f. gerichtl. Med.*, Nürnberg, 1894, xlv., 453 *et seq.*

<sup>2</sup> Boston *Herald*, May 15, 1896.

still brings children into the world, unhindered by our wise and efficacious laws."<sup>1</sup>

The capacity for evil of one feeble-minded woman appears beyond all conception, when we reflect upon the long line of paupers and criminals to which she may give origin. It is probable that no defect is more surely transmitted from parent to child than this one of feeble-mindedness: as is generally admitted, it is very exceptional for the children of feeble-minded parents to be mentally sound. A recent writer has found in 61 families 267 feeble-minded individuals—an average of four and one third to each family.<sup>2</sup> The following family-tree will give some idea of the imbecile as parent:

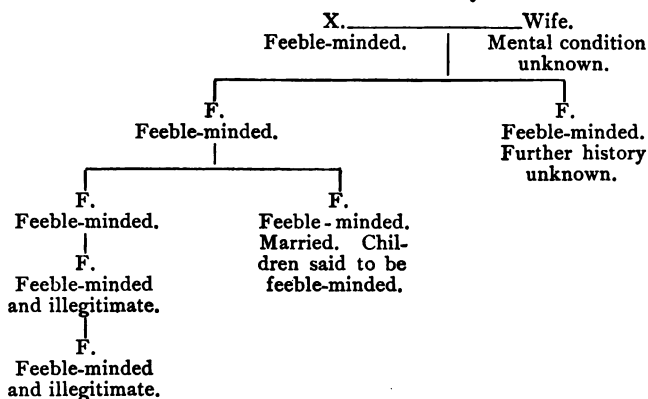


<sup>1</sup> Martha Louise Clark, *loc. cit.*, p. 790.

<sup>2</sup> E. P. Bicknell, *Charities Review*, 1895, v., 81.

<sup>3</sup> The material for this table has been derived from E. P. Bicknell, *loc. cit.*, p. 83.

Only a fragmentary history of this family has been obtainable, and there appears to be ground for supposing the number of members to have been much larger; but, so far as known, every member has been feeble-minded, and "hardly a year passes that other feeble-minded, illegitimate, children are not born into the family." All the individuals represented in the table have derived their support in greater or less measure from the community. The next table<sup>1</sup> presents an instance of continuity of feeble-mindedness through five generations:



Of another family we are told that it has *never* had a female member of sound mind, and that all the male members, with perhaps two or three exceptions, have been feeble-minded.

The tendency toward reckless parentage among the weak-minded continues to produce its stream of

<sup>1</sup> E. P. Bicknell, *loc. cit.*, p. 84.

imbecile illegitimates in spite, for the most part, of "the best efforts of homes and county poor asylums to prevent it. Any one who has given even the briefest attention to the subject knows how totally inadequate is the protection for the feeble-minded which can be given by these institutions."<sup>1</sup>

It is now generally conceded by those who have given the subject thoughtful attention, that imbeciles,—at least of the lower grades,—whether chiefly of the mental or of the moral kind, cannot be permitted to live at large without grave damage to the public weal. The one remedy proposed is that they shall be gathered together into vast institutions and there be held captive until released by death. "A child who in early life betrays decided viciousness, and is even slightly below par intellectually, should be kept from society as we would keep poison from food."<sup>2</sup> Through the proposed plan of life-detention, the feeble-minded may live such happy and useful lives as are possible for them, while the restrictions by which they are encompassed shall limit the mischief which it is their natural tendency to work. This system of so-called "custodial care" is the most reasonable and the most kindly plan yet contrived for the true advantage both of the feeble-minded and of society generally, but when we consider the small sum of happiness possible to these defective creatures—through their feeble capacity and the short duration of their life—and the tremendous financial drain which an adequate

<sup>1</sup> E. P. Bicknell, *loc. cit.*, p. 86.

<sup>2</sup> Martha Louise Clark, *loc. cit.*

application of the plan would entail upon society, we cannot but regard the remedy as highly unsatisfactory.

*The Epileptic.* The number of epileptics in a country no census determines with any degree of accuracy, the disease being often purposely concealed and at other times existing under an obscure form which even the expert diagnostician may fail to recognize. It appears, however, to be generally admitted that we have in the United States about 135,000 epileptics, of whom the great majority are in a more or less helpless condition.<sup>1</sup>

In the causation of epilepsy heredity plays an exceedingly important part, but it is not only as epilepsy that the requisite taint has appeared in the ancestry: any pronounced manifestation of degeneracy in one generation may be the harbinger of epilepsy in the next, which matter of equivalence has already been sufficiently explained. The predisposition existing, various forms of irritation may serve as exciting cause of the disease.

The disease may assume a great variety of forms, but its chief common characters are: the sudden partial or complete loss of consciousness, the occurrence of more or less general convulsions, and the repetition of the paroxysms with greater or less frequency. A very peculiar, yet by no means rare, modification of the common form is a change in the individual's consciousness through which he is led to do things purposeless or even fearfully destructive, which action is then immediately and completely

<sup>1</sup> W. F. Drewry, M.D., *Charities Review*, 1896, v., 117.

forgotten. This dangerous phase may appear at the onset of the common paroxysm, during its continuance, or at its close, or may even entirely supplant it—a so-called psychic equivalent of epilepsy. The frequency of the paroxysms varies greatly in different persons. For quite a large number of epileptics, several fits daily is the rule. Between the attacks the health may be very good; but in the majority of cases, especially those manifesting themselves in very early life, there is a progressive weakening of the intellect and moral sense which seriously impair the individual's usefulness and happiness, and make of him a menace to society. A certain minority of epileptics appear to escape entirely the usual loss of intellectual power, but even in these cases there is commonly a progressive increase of irritability and eccentricity.

The element of uncertainty introduced into the epileptic's life through the liability to sudden loss of consciousness becomes a great obstacle in the exercise of any vocation, and a very large number of these unfortunates thereby fall back upon the support of the public institutions. Recognizing their unfitness for steady work, the sense of distrust or aversion awakened in those with whom they come into contact, and the hopelessness of cure, very many of these unfortunates live by day a life of constant gloom; by night they are prone to suffer very dreadful dreams.

The transitory frenzy which often accompanies the common paroxysm of epilepsy, or appears as its substitute, is, as during these recent years has been

abundantly shown, a fruitful source of crime.<sup>1</sup> A peculiar characteristic of the epileptic mania is its intense ferocity and destructive violence; while there may appear such distinct contrivance of means to ends as to indicate a full consciousness, a clear purpose. There can now be no doubt, however, but that the crimes of frenzied epileptics may be committed automatically, such consciousness as exists being entirely unconnected by memory with that usual consciousness of the individual which we are accustomed to regard as his true personality. After the perpetration of a frightful murder, the epileptic may comport himself as if nothing had happened, having no recollection of his crime; in other cases there may be gradually brought back some fragmentary memories of the frenzied consciousness, through a contemplation of the results of the horrid deed enacted. This tendency to transitory frenzy may exist in any epileptic. "Even the good-humored epileptic is liable to be an uncertain and dangerous creature; instigated by an overpowering hallucination, he may explode in

<sup>1</sup> The relation between epilepsy and crime appears to have been recognized at a very remote period. Herodotus, who wrote in the fifth century B.C., after telling of the outrageous deeds of the Persian King Cambyses, perpetrated against his own people and the conquered Egyptians, with inclusion of the murder of his brother and wife, says: "Thus madly did Cambyses behave toward his own family . . . for Cambyses is said, even from infancy, to have been afflicted with a certain severe malady, which some called the sacred disease [epilepsy]. In that case, it was not at all surprising that, when his body was so diseased, his mind should not be sound." —Engl. transl. by Henry Cary, p. 184. New York, 1870.

destructive violence without notice."<sup>1</sup> The dread phenomena of epilepsy gave rise among the ancients to the idea of demoniacal possession, and a modern physician has said<sup>2</sup>: "No demon could by any possibility produce more fearful effects by entering into a man than I have often seen result from epilepsy."

An epileptic boy, aged fourteen years, while at play, without cause or warning, would throw himself upon his face in a frenzy of passion, tear his books, destroy his toys, break any glass that might be near him, kick and bite or otherwise brutally assault any one who might approach him; in a few minutes he was again smiling and happy. These motiveless outbursts of ungovernable anger occurred several times daily, rendering his association with other human beings exceedingly dangerous.<sup>3</sup>

"A man, twenty-four years of age, . . . rose suddenly during the night, took his child, and hurled it against the wall, shattering its skull. The screams of his wife awakened him, when, to his horror, he found that he had killed his son, whom he had thought to save from a wild animal which he had seen enter the room and spring on to the child's bed to devour it. . . . He was a workman, pale, of a nervous temperament, sluggish intellect, and rather childish, but industrious at his work. His mother had suffered all her life from epileptic attacks, eventually dying in a fit of this kind. His maternal aunt and her children were insane; his sister died, as a

<sup>1</sup> Henry Maudsley, M.D., *loc. cit.*, 488.

<sup>2</sup> Dr. Clouston, quoted by Dr. S. A. K. Strahan.

<sup>3</sup> W. B. Lewis, *Fortnightly Review*, 1893, lx., p. 340.

child, in convulsions. From his infancy he had been the victim of terrifying dreams, in which he used to spring, screaming, out of bed. These dreams troubled him especially when he had suffered any emotion during the day. . . . After his marriage in 1875 the attacks assumed a different character. He was pursued by terrible dreams, and used to spring out of bed screaming 'Fire!' or that his son was in convulsions, or that a wild animal had got into the room, which he would then try to find and hit with anything which fell into his hands. Several times he had seized his wife, his father, and a friend who lived with him, by the throat, nearly strangling them in the belief that he had caught the wild animal. In these attacks his eyes were wide open and full of expression, and he saw all objects, although he was blind to everything which did not agree with his mental illusions. It was in one of these attacks that he killed his son."<sup>1</sup>

A "gendarme," at a fair, suddenly drew his sword and began to strike indiscriminately the persons within his reach: he was seized, and it was then found that he had had no consciousness of what he was doing. It was learned that he had already had attacks of epilepsy.<sup>2</sup>

A man of twenty-six years started thirteen incendiary fires in plaster-quarries, barns, and granaries, stealing nothing and deriving no advantage of any

<sup>1</sup> Prof. Angelo Mosso, *Fear*. Engl. transl. by E. Lough and F. Kiesow, 1896, p. 233.

<sup>2</sup> Legrand du Saulle, *Étude médico-légale sur les épileptiques*, 1877, p. 22.

kind from his criminal acts. He was found to be an epileptic, not an imbecile.<sup>1</sup>

A man, aged forty-two, good-natured and of very gentle manners, during an epileptic frenzy, killed his wife and then started across country barefooted and only partly clad. Meeting a beggar-woman, aged seventy-five, he cut off her head; a little farther on he killed an abbé, then another man, and inflicted upon the wife of this latter such wounds as caused her death the following day. Later, he broke the skull of a boy, aged nine, and killed another man. Thus, during his frenzied escapade, this epileptic committed seven murders. He was not prosecuted, as being evidently irresponsible. He had had many epileptic attacks during his previous life.<sup>2</sup>

We have now seen how dangerous to society the epileptic may be in himself: his existence appears a still greater menace when we reflect upon the usual character of his offspring.<sup>3</sup> The tendency towards disease transmitted by the epileptic parent is exceedingly strong. Very often this tendency manifests itself in the progeny as epilepsy, but frequently in such equivalent form as insanity, idiocy, chorea, hysteria, or an uncontrollable desire for drink.

<sup>1</sup> Legrand du Saulle, *loc. cit.*, 1877, p. 95.

<sup>2</sup> *Ibid.*, p. 52.

<sup>3</sup> "I know of one epileptic woman, an inmate of a poorhouse, who was allowed to marry a farmer who wanted somebody to keep house for him, and the result was sixteen children. Fortunately seven died, but the remaining nine were defective, some being epileptic, and others mentally deficient in varying degrees."—Dr. G. H. Knight, *Rep. Eighth Sect. Internat. Congr. Char., Correct., and Philan.*, p. 20. Chicago, June, 1893.

Echeverria, after ten years' careful research into the character of the offspring of epileptics, has published valuable statistics bearing upon the question. Excluding all cases not fully verifiable, he found that 62 male and 74 female epileptics produced 553 children. Of these latter, 22 were still-born; 195 died during infancy from spasms; 78 lived as epileptics; 18 lived as idiots; 39 lived as paralytics; 45 were hysterical; 6 had chorea; 11 were insane; 7 had strabismus; 27 died young from other causes than nervous disease.<sup>1</sup> Thus, out of the 553 children, 448 died early or were gravely afflicted, while only 105, or less than one-quarter of the whole number, were healthy.

The public is gradually awaking to the disastrous influence of epileptics and of the feeble-minded as parents, and has even begun to seek relief through legislation. Thus, a law was enacted recently, in Connecticut, to the following effect: "No man or woman, either of whom is epileptic, imbecile, or feeble-minded, shall intermarry or live together as husband and wife when the woman is under forty-five years of age."<sup>2</sup> But apart from other difficulties connected with such legislation, it is probable that only a small proportion of epileptics would be affected by it, for, as is well known, a large number of these persons suffer from so masked a form of the disease that its true nature escapes recognition: such individuals, although destined to transmit a

<sup>1</sup> A. W. Wilmarth, M.D., *J. Amer. Med. Assoc.*, 1896, xxvii., 341.

<sup>2</sup> Dr. W. A. Hunt, *Northwestern Lancet*, xvii., 3. St. Paul, 1897.

vicious heritage, would continue to exercise without legal hindrance their right of parentage.

With what measure of success has epilepsy been combated by the medical art? All the answers are gloomy. Very few cases of the disease are cured. According to one authority, four to six per cent. are cured in institutions, while from the well-known colony at Bielefeld seven per cent. are discharged as cured. Another authority says: "But medical care, such as it is, has been given to them [epileptics] for some thousands of years, and yet without adding much to the happiness of individuals under treatment, or accumulating much evidence of positive value concerning medication in epilepsy. Our results have been, indeed, almost valueless; for with all our dosing with bromides, borax, belladonna, and so on through the alphabetical index of the pharmacopeia, it is extremely doubtful if in ordinary practice one per cent. of the cases of idiopathic epilepsy are cured."<sup>1</sup> Although they may be incurable, the dangerous maniacal frenzy may be prevented in all epileptics, doubtless, through the administration of the bromides, whereby they are usually reduced to a condition of apathetic debility: they may now only half live, but they no longer menace society. If every epileptic were under proper medical treatment, the community would be relieved of an enormous weight of crime, but the average epileptic will not continue under such treatment unless forced to do so. For this reason, as for many others, the

<sup>1</sup> Dr. F. Peterson, *Rep. Fourth Sect. Intern. Cong. Char., Correct., and Philan.*, p. 139. Chicago, June, 1893.

colony plan of dealing with the epileptic question is of great value; and yet it leaves very much to be desired.

What conclusion shall we draw from this sad survey of the condition of the epileptic? These afflicted beings live, for the most part, lives of great dejection and unhappiness; they are a menace to society through their tendency to violence and crime, and to themselves through the frequency of their accidents and the suicidal impulse to which they are prone; their existence, directly and indirectly, absorbs a large portion of the public wealth<sup>1</sup>; as progenitors, they transmit a very direful curse; and for these evils the best plan as yet devised can promise only mitigation. Shall we continue to impoverish and destroy many happy and useful lives that we may prolong the pitiable existence of the dependent epileptic? In the great majority of cases, epilepsy appears in early life: to these sufferers, and to those who have their welfare most at heart, an early death would be a sweet relief.

*The Habitual Drunkard.* The habitual drunkard is an individual who, in obedience to a morbid instinct, charges himself with the spirit of perversity and turbulence, and returns to the society of his fellows as an explosive which any trifle may ignite into the most destructive violence. Such persons

<sup>1</sup> "Epileptic colonies are not self-sustaining—not even that most flourishing one at Bielefeld, with its nearly thirty years of experience—although some have almost reached this desirable point of efficiency."—Dr. Wm. F. Drewry, *Charities Review*, 1896, v., 120; also Dr. F. Peterson, *Rep. Fourth Sect. Internat. Cong. Char., Correct., and Philan.*, p. 143. Chicago, June, 1893.

constitute a very heavy burden and an ever-threatening menace to the well-being of society. We must distinguish between the toper and the dipsomaniac proper. The former is always, circumstances permitting, more or less intoxicated, and is a progressively useless creature; the latter is subject to a periodic frenzy of "drink-crave," but when not under this influence is often a person of energy and great usefulness; and although he frequently sinks into the fate of the common toper and is otherwise a dangerous element in society, it seems more prudent to exclude him, so long as not an habitual drunkard, from the sway of the plan which we are to consider. We should regard dipsomania as a form of insanity. "The ordinary drunkard may become insane because he drinks; the dipsomaniac drinks because he is insane."<sup>1</sup> What now follows must be understood as relating to the habitual drunkard, although often true, also, of the dipsomaniac.

The habitual drunkard is a "degenerate" who has received from his ancestry an abnormal tendency to seek excitement, especially the peculiar stimulation afforded by the use of intoxicants; or a tendency to easy exhaustion through the stress of life, which naturally turns for relief to artificial stimulation; or a weakness of will which induces a helpless imitation of his companions; or some combination of these unfortunate inheritances. However we may endeavor to define his causation, it seems very certain that the habitual drunkard is such because

<sup>1</sup> Magnan.

of some vicious inheritance.<sup>1</sup> "The part which heredity plays in many of the more inveterate and hopeless cases of alcoholism is wholly out of proportion to the obvious and easily recognizable part played by momentary temptation. To the failure to recognize the real agency at work in such cases must be ascribed the disappointment of too many sanguine and unsuccessful social reformers."<sup>2</sup>

Of all hereditary taints, says Dr. E. Laurent, alcoholism is undeniably the most frequent, and among criminals it is found almost always, alone or in conjunction with other taints. It is the most common cause of degeneration, and our prisons are peopled mostly with degenerates, or with the children of drunkards. When, in the ancestry of any criminal, we cannot find insanity, or epilepsy, or hysteria, says this authority, we shall find, nine times out of ten, that alcohol has been the cause of all the trouble. The other taints may often skip a generation, but this is rarely the case with alcoholism: alcohol is a poison which pardons not.<sup>3</sup>

The number of habitual drunkards is very much

<sup>1</sup> "It can no longer be doubted that particular causes of nervous degeneration in one or both parents may lead to the hereditary transmission of a feeble nervous organization, which, on the one hand, renders its possessor peculiarly liable to neuroses of every kind, and, on the other hand, an easy prey to the temptation to seek refuge from mental and physical suffering in occasional or habitual narcotic indulgence."—Dr. J. C. Wilson, in Pepper's *System of Medicine*, v., 576. Philadelphia, 1886.

<sup>2</sup> *Ibid.*, p. 577.

<sup>3</sup> Dr. E. Laurent, *Les habitués des prisons de Paris*, p. 20. Paris, 1890.

larger than is generally supposed, very many cases of the vice being so sheltered by family-life as to escape inclusion in public statistics. It has been estimated that 365,000 men are arrested annually in this country for drunkenness alone—a number larger than that for all other offences. During the year 1889, there were arrested for drunkenness in Boston, 24,000; in Chicago, 31,164; in 1890, in Philadelphia, 24,661; in New York, 31,534.<sup>1</sup> The number of drunkards is not only exceedingly large but is increasing, apparently, out of proportion to the increase of population.

The physical and mental condition of the habitual drunkard is one of sad deterioration, and replete with misery. The habitual abuse of alcohol induces disorder of the body as a whole, with special selection of certain of its constituent structures, and the disturbances of function which follow are inevitably progressive. The drunkard suffers from dyspepsia, congestion of the liver, bronchial tubes, lungs, and kidneys, and from disease of the muscular substance of the heart. The general muscular system undergoes a process of degeneration. His vitality is so lowered that he readily succumbs to any acute disease which may befall him, and upon occasion of an epidemic drunkards usually constitute the greater number of those first mown by the scythe of the pestilence. The nervous system is widely involved in the course of general degeneration. There arise early various disturbances of sensation, as of vague discomfort, disagreeable coldness or heat, cramps

<sup>1</sup> E. C. Foster, *Forum*, xii., 500, 1892.

or other forms of pain. Sleep becomes unrefreshing, and is often beset by unpleasant dreams. A tremulous condition of the muscles is of common occurrence, interfering with the work, the gait, and the speech of the drunkard; muscular power is always more or less impaired, sometimes to complete paralysis. The special senses are subject to many disorders. The sight may be disturbed by floating specks in the field of vision, confusion of colors, double vision, loss of acuteness, or transitory but recurrent blindness. The hearing may be disturbed by various disagreeable noises of subjective origin. The senses of taste and smell become greatly impaired or are entirely lost.

The mind of the drunkard undergoes a very marked alteration, becoming progressively debased. The moral sense is the first of the psychic faculties to suffer the process of gradual extinction. Little by little its delicacy is impaired; sentiments of affection, honor, duty, and decency disappear and are replaced by a selfish indifference. The will, likewise, disappears by degrees, and the drunkard becomes powerless to strive for his own reformation. The intellect is usually the last to succumb, but it, too, grows weaker and disappears in the general darkness. Finally, in certain cases, alcoholic insanity appears, under the form of melancholia, mania, chronic delirium, or dementia—complete obliteration of mental power.<sup>1</sup>

The slow but certain progress of the drunkard

<sup>1</sup> For a good description of the physical and mental transformation of the drunkard, see Dr. J. C. Wilson, *loc. cit.*

toward his doom is not altogether an unconscious motion. As the current quickens, he begins to perceive whither it is wafting him and struggles fitfully to make headway against it, but his efforts although painful are seldom effective and, sooner or later, there comes a time when he is borne like inanimate drift toward the deep sea of destruction. While the unfortunate being is still unbereft of clear consciousness, his mental life is often one of great suffering; and, later, the tendency to alarming hallucinations and the uncomfortable sensations caused by his disordered functions induce much unhappiness.

But far more important, from our standpoint, becomes the gradual change in the drunkard's relation to society. He is as poison to the happiness of family-life. Becoming less and less able to work, he must, in very many cases, fall back upon the support of the State; and not only does he thus become a useless burden, but he adds thereto an element still more serious,—he becomes a positive danger, a firebrand to property and to life. We have no means of defence against these dangerous beings. During a transitory delirium, the first-come may be the drunkard's victim. "Here are people who are not considered insane and yet are in fact dangerous lunatics."<sup>1</sup> Nor does the term of the drunkard's mischief cease at his death, for his malignant influence may be prolonged into remote posterity. The bitterness of a drunkard's home is universally

<sup>1</sup> M. Masoin, *Bull. de l'acad. royale de méd. de Belgique*, p. 417, 1896.

known. The enormous demands which drunkenness makes upon our charity resources are, likewise, so well known as to need here but a passing mention. The destruction of property and life through the carelessness or the violence of the drunken is a theme under constant discussion. But the malign influence of the drunkard as a parent is by no means widely appreciated: to this grave matter, then, let us now give our attention.

From remote antiquity to the present day it has been believed, and with good reason, that the drunkard transmits a curse to his offspring. To this effect have taught Hippocrates, Aristotle, and Plutarch. The deformity of Vulcan was thought due to the drunkenness of Jupiter at the time of his conception. "There is to-day no doubt whatever that chronic alcoholism . . . modifies profoundly the brain and nervous system of both parent and offspring. Some of the most characteristic cases of instinctive criminality are solely or chiefly due to alcoholism in one of the parents."<sup>1</sup> Cases have been recorded in which parents have had a number of healthy children, and then, becoming intemperate, have had a second series of children all of whom have been grossly defective. Thus, in one family, there were born a son and daughter, both perfectly sound in mind and body; the father then became an habitual drunkard, and begot four other children,<sup>2</sup> of whom one was mentally defective and the

<sup>1</sup> Havelock Ellis, *The Criminal*, p. 109. London, 1895.

<sup>2</sup> Dr. Kerr, Professor A. G. Warner, *American Charities*, p. 62. New York, 1894.

other three complete idiots. The close connection between drunkenness and idiotic offspring has been well shown in Norway. After the removal of the spirit-duty in 1825, there was a marked increase of intemperance among the people, and during the ten years following there was an increase of one hundred and fifty per cent. in the production of congenital idiots.<sup>1</sup> The following history is a sample of the ancestral influence of a drunkard:

"*First Generation:* Father, a drunkard.

"*Second Generation:* Son, a drunkard. Was disgustingly drunk on his marriage day.

"*Third Generation:* Seven grandchildren. First died of convulsions. Second died of convulsions. Third was an idiot at twenty-two years of age. Fourth, melancholiac with suicidal tendency—became demented. Fifth, peculiar and irritable. Sixth, has been insane repeatedly. Seventh, nervous and depressed, and indulges in most despairing anticipations as to his life and reason."<sup>2</sup>

Entirely lost to shame and all sense of responsibility, the drunkard is quite as prone as the imbecile to multiply his kind. The temperate man feels a responsibility as to the rearing of his offspring; not so the drunkard,—*he* casts all that care upon the State, which must reverently receive the life sprung from a source so foul, for by society human life is esteemed sacred and inviolable. Society may remonstrate, but, until caged or exterminated, the drunkard is master of the situation. This reckless

<sup>1</sup> Dr. S. A. K. Strahan, *loc. cit.*, p. 124.

<sup>2</sup> Morel, quoted by Dr. S. A. K. Strahan, *loc. cit.*, p. 125.

being seeks his transitory mates among individuals as debased as himself, whereby his own evil influence as progenitor is intensified, and the products of such parentage attain the climax of degeneracy. It may be said that the drunkard's vicious influence upon offspring is often due, in part at least, to some taint of imbecility, epilepsy, or insanity: this is undoubtedly true, and it is highly probable that some such taint is always present in the habitual drunkard, but the danger which we may always impute to the latter as parent is thereby increased rather than diminished.<sup>1</sup>

Now, what are the chances of reformation for this pitiable being? May he so restore the degenerated tissues of his body that both physical and mental functions shall cease to charge his life with suffering? May he once more support himself by useful work, and exercise such care in his conduct as no longer, through negligence or wilful violence, to constitute a burden and a danger for society? And being reformed, is he no longer a menace to posterity? What may we hope for him in these several ways?

The degenerative changes in viscera and nervous system induced by the habitual abuse of alcohol cannot be undone; they are progressive, although more slowly, even when the vicious habit is broken.

<sup>1</sup> Kiernan has cited twenty-three cases in which degenerate stocks were attributed to alcoholic excess in parents but, upon closer investigation, were found due to some degenerate element in the parents, whose alcoholism was merely one manifestation of their degeneracy.—Dr. E. S. Talbot, *Degeneracy*, p. 106. London, 1898.

We cannot hope, then, for any great amelioration of physical discomfort through a possible reformation. A return of ability for useful work is likewise not to be expected in any satisfactory measure, for such ability must rest upon a fairly normal condition of bodily structure, which the habitual drunkard can never hope to regain. Similarly, too, he cannot avoid such negligence, or even outbursts of violence, as may from time to time induce disaster. Accordingly, when reformed, the drunkard must usually continue, to greater or less degree, a burden and a danger for society. But what of the reformed drunkard as progenitor? Here there cannot be a shadow of question. Even had the inborn tendency of the man to alcoholic abuse not come to light, there would have lurked within him some constitutional taint, of ominous import for possible progeny; but there has now been added thereto the physical enfeeblement through drink which cannot fail to impair the vitality of his offspring. On this point there appears to be absolute unanimity of opinion—however divergent otherwise the views concerning heredity—that enfeeblement of a parent tends to reappear as enfeeblement of the issue. Only as restraining his former recklessness of parentage can reformation of the drunkard usually be of advantage to posterity.

But, whatever the gain to be wrought thereby to himself or to society, universal experience forbids us to look, in the vast majority of cases, for the habitual drunkard's reformation. The feeble will which allowed the vice to obtain a hold so fast

cannot, when still further enfeebled, be expected to dislodge it. Moral suasion and religious exhortation accomplish little, for there is no soil in the degenerating brain in which they may take root. The resources of the medical art are of small avail. The penalties of the law are futile. What, then, shall we do with this usually hopeless creature ?

“ If so little can be done for the habitual drunkard with his own consent, whether given or extorted, what can be done for him without his consent ? The melancholy reply—a reply really disgraceful to our boasted legislation—is, nothing. If he continues his vicious indulgence until he becomes a *lunatic*, we seclude him and treat him under the lunacy law; if he continues it until he becomes a *criminal*, we seclude and punish him under the criminal law. Failing either of these consummations—often devoutly desired by his friends—he continues his career of disgrace and ruin, a curse to his friends and a pest to society, until he dies a drunkard’s death—another martyr to that national craze, ‘ the liberty of the subject.’ Our laws punish the man who attempts suicide, though the act might injure none but himself, yet they deliberately allow the habitual inebriate to commit slow suicide of the most degrading kind, and to be a curse and a danger to others in the process. No one who has intimately known the wretchedness, ruin, and danger caused by an habitual drunkard ever doubts the necessity for compulsory confinement. It is little wonder that death by suicide or accident has often been longed for by the helpless friends as their only

hope of deliverance, or that unprincipled relatives have, in despair, deliberately given the habitual inebriate unlimited credit at a drink shop in order that he might kill himself as speedily as possible."<sup>1</sup>

To hold the habitual drunkard in perpetual detention would be a great gain for society, but such custody of the suitable subjects, amounting probably to more than a hundred thousand in our own country alone, would be such a fearful drain upon the resources of a nation as to be impracticable; the sense of shame, the anxiety, the hoping against hope, of fond relatives, although mitigated, would not be thereby dispelled; and, finally, it would greatly prolong the lives of the beings to whose miserable existence death usually comes, in the due course of their habit, as an early and merciful end. Such a solution of the difficult problem appears hardly humane; there is urgent need of something better.

*The Criminal.* Of late years, a flood of light has been thrown upon the nature of the criminal. Formerly, *crime* was the main object of study for legislators and courts; now it is becoming clear that the chief attention must be concentrated upon the *criminal*. This invaluable change of penological base, so slowly but so surely being effected, we owe primarily to the remarkable zeal of the Italian investigators—whose aim has been "to bring theories of crime and punishment into harmony with everyday facts."

<sup>1</sup> Dr. D. Yellowlees, *J. Ment. Science*, xlii., 99. London, 1896.

The doctrines of Lombroso, the father of so-called criminal anthropology, have been very vehemently combated, and some of his views have been disproved; but others are widely received, and his labors have borne rich fruit, both in the truth which they have revealed and in the wide-spread and enthusiastic research to which they have incited. We cannot believe that crime is properly an "atavism,"—a mere reversion to the once normal practices of our ancestors,—nor that there is a "criminal type," recognizable simply by anatomical characteristics; yet we must admit, I think, that a manifestation of ancestral ways is often an abnormality so incongruous with our present morals as to constitute crime, and that the tendency to crime is essentially inborn.

The most rational view of crime is to regard it not as the fiat of a free individual will, but as the resultant of two co-operating factors: the man, physical and mental, and the environment, physical and social.<sup>1</sup> It is with the first factor—the physical and mental man—that we shall here occupy ourselves, confining our attention entirely, however, to the traits of those who are criminals by habit and of those termed instinctive or born criminals,—two classes between which, in practice, it is often impossible to distinguish.

As a rule, criminals are physically defective, presenting a varying number of the physical stigmata of degeneration; but the idea that there is a distinctive anatomical type characteristic of criminals has

<sup>1</sup> Cf. Ferri, *Revue scientifique*, 1896, 4s., vi., 578.

been shown to be completely untenable. Abnormalities of cranium and face, jaws, teeth, nose, eyes, and ears, of pose and gait, are exceedingly common, often imparting a sinister or repulsive aspect to the person of the criminal; yet there are many criminals of fine physique, attractive features, and pleasing manners. The changes induced by disease are very prevalent. Says a prison physician: "In all my experience I have never seen such an accumulation of morbid appearances as I witness in the post-mortem examinations of the prisoners who die here."<sup>1</sup> "The results of personal experience among large numbers of juvenile offenders, as well as the evidence just furnished by statistical investigations, have for many years confirmed me in the opinion that among the many causes which produce a criminal life the physical inferiority of the offender is one of the most important."<sup>2</sup>

Insensibility to pain is a very common peculiarity among criminals, and upon this rests, in great degree, their indifference to the suffering which they induce in other persons. It is often found that surgical operations which would be painful or even excruciating to normal persons elicit no evidence of pain from criminals. A healthy criminal of about thirty quarrelled with another, then, in a fit of rage, walked deliberately to a circular saw, threw on the belt, set the saw in motion, and, placing his forearm

<sup>1</sup> Quoted by Dr. J. B. Thomson, *J. Ment. Science*, p. 492. London, 1870.

<sup>2</sup> W. Douglas Morrison, *Juvenile Offenders*, p. 102. New York, 1897.

upon the carriage, sawed it completely off just below the elbow-joint. He showed no sign of pain, and appeared indifferent to the whole affair.<sup>1</sup> "Numbers burn themselves in a most horrible way to get rid of doing a moderate task, cut off their fingers and mutilate and injure themselves in different ways to carry a point, not because they could endure pain heroically, but simply because they have learned that these things did not hurt them overmuch."<sup>2</sup> "At Chatham, in 1871-72, 841 voluntary wounds or contusions are recorded, 27 prisoners voluntarily fractured a limb, and 17 of them had to submit to amputation; 62 tried to mutilate themselves, and 101 produced wounds by means of corrosive substances."<sup>3</sup> Of such insensibility to pain on the part of the criminal, innumerable instances might be given. There is a small number of criminals, on the other hand, who are very cowardly and whose hyper-sensitiveness to pain is a part of their abnormality.

The insensibility of criminals and their instinctive love of cruelty are well illustrated by their sports and games, which, in Italy, have recently been made the subject of special study. There, criminals not in solitary confinement skip the rope, making it an important feature of the game to trip up the jumper and cause him to fall heavily to the pavement. They play leap-frog, but the man who makes the "back" rises unexpectedly, to throw the mounting

<sup>1</sup> A. W. Wilmarth, M.D., *loc. cit.*, p. 793.

<sup>2</sup> *Ibid.*, p. 793.

<sup>3</sup> Havelock Ellis, *loc. cit.*, p. 115.

"frog" violently to the ground. In blind-man's buff, the one who is blindfolded strikes at those about him with a stone, or a piece of iron or sharpened wood, fastened in the corner of a handkerchief; at times, the other players strike the blindfolded one as he incorrectly names those who have touched him, and the blows thus inflicted are often so severe as to require the physician's aid, and to induce occasionally a long-continued disablement. There is a game in which one player holds in each hand a stick provided with a sharp metallic point and, interweaving his arms, revolves them rapidly while another player endeavors to introduce his head between the arms without being wounded. The usual result is a large number of wounds—occasionally fatal. In another game, one player places his two closed fists upon a table, with a needle projecting slightly above each, the other player then strikes these fists repeatedly with his own, in spite of being pricked by the needles, and the play continues until one or the other player can endure the pain no longer. These brutal and bloody games of the Italian penal institutions, so long as the inmates are permitted to be together, it has appeared almost impossible to suppress.<sup>1</sup> Lombroso has found, among criminals, that individuals possessed of great physical insensibility are proud of their defect, and despise those who are sensitive, finding much pleasure in the torment of these beings, whom they regard as their inferiors.

The mental aspect of criminals has been much

<sup>1</sup> Boston *Herald*, November 4, 1896, "Games of Criminals," abstract of a study by Mario Carara.

studied, but it concerns us here to consider only that part of their character which has a direct moral bearing. A common trait of criminals is their indolence, their remarkable aversion to work. Many of them prefer to live upon a few morsels of bread, to be shelterless at night, and to pass half of their life in prison, rather than work for a few hours daily. This strange preference they are often willing to admit. "I have often tried it," said one, "but I cannot stand it; work kills me." Said another: "If it is necessary to work, I do not care to live; I prefer to be condemned to death."<sup>1</sup> The relation between indolence and criminality is very close, and the vagabond is almost invariably an habitual criminal.

Vanity is another striking feature of the criminal, constituting an incitement to evil-doing and an obstacle to reform. "Knavish and cruel, lazy and untruthful, stupid and frivolous, incapable of any connected thought, criminals are yet of all men the most conceited."<sup>2</sup> The class-distinctions among them, based upon degree of skill or infamy, are often very stringent: a criminal must maintain his reputation by repetition of the kind of crime through which he has obtained his measure of distinction, and thus it often happens that self-esteem rather than want is the incentive to crime. Said an English highway-robber, speaking scornfully of the petty thief: "I may be a thief, but, thank God, I am a man entitled to respect."<sup>3</sup> A Russian youth, aged

<sup>1</sup> Dr. E. Laurent, *loc. cit.*, p. 381.

<sup>2</sup> *Ibid.*

<sup>3</sup> Lombroso, *loc. cit.*, p. 355.

nineteen, having murdered an entire family, was rejoiced to find that his deed was the general theme of conversation in St. Petersburg, and to know that his schoolmates would recognize their mistake in having supposed that he would never cause himself to be talked about.<sup>1</sup>

Moral insensibility is the most salient characteristic of the great majority of criminals. Despine, who studied the matter very carefully, says: "I acquired the certainty that those who premeditate and commit crimes in cold blood never experience moral remorse."<sup>2</sup> Among more than 400 murderers, only three expressed remorse, and through a recent study of 130 women condemned for premeditated assassination or complicity in such assassination, there was found evidence of genuine penitence in only six.<sup>3</sup> According to the twenty-third *Year-Book* of the Elmira Reformatory, as already stated, an examination of over 8000 convicts as to moral sense showed 29.7 per cent. to have "absolutely none," and 41.8 per cent. to have only "possibly some"—that is, 71.5 per cent. had exceedingly little moral sense or none at all; and these individuals were not such as had grown gray in lives of crime but were all young men.<sup>4</sup> Laurent, with his<sup>5</sup> extensive

<sup>1</sup> Lombroso, *loc. cit.*, p. 355.

<sup>2</sup> Quoted by Havelock Ellis, *loc. cit.*, p. 126.

<sup>3</sup> Havelock Ellis, *loc. cit.*, p. 129.

<sup>4</sup> A well-known English authority, referring to the degree of moral insensibility reported of the Elmira convicts, admits "with sorrow that this statement holds true of the young offenders in English prisons."—*Quarterly Review*, p. 424. London, 1897.

<sup>5</sup> Dr. E. Laurent, *loc. cit.*, p. 397.

experience, does not believe that the criminal's conscience has been *cauterized* by crime, but that, from his start in life, the moral sense is very defective or entirely absent.

The bloodthirsty character of criminals often displays itself at a very early age. A little boy, barely six, of intelligent and rather pretty face, was brought before a magistrate in Paris by his parents, the father saying: "We have brought you our boy; he frightens us. He is no fool; he begins to read, and they are satisfied with him at school, but we cannot help thinking that he must be insane, for he wants to murder his little brother, a child two years old. The other day he nearly succeeded in this; I arrived just in time to snatch my razor from his hands." The boy heard the recital with indifference. The magistrate asked: "Is it true that you wish to hurt your little brother?" The boy replied, with composure: "I will kill him—yes, yes—I will kill him." The father was found to be a great drinker.<sup>1</sup> A similar case was that of a little girl, aged five, who made several attempts to kill her stepmother and her little brother, although the former had always treated her kindly.<sup>2</sup>

A boy of sixteen, intelligent at school, whose mother died of consumption and whose father was a drinker, was taken into a family and there kindly treated. He attempted to murder the wife of his benefactor, stabbing her as she lay asleep, to obtain

<sup>1</sup> Hugues le Roux, *Fortnightly Review*, 1891, lvi., 885.

<sup>2</sup> Henry Maudsley, M.D., *Pathology of Mind*, p. 385. London, 1895.

eight francs concealed under her pillow. When confronted, later, with his victim he said: "Give me a knife that I may kill that woman, so that I shall not be punished for nothing. I am quite ready to begin again. It is true that I am crying, but only with rage." He wrote an account of his life, and in speaking of this crime said: "My intention was to kill her, and to steal the eight francs from her. As to my views, here they are in a phrase. I would kill, steal, murder, and do all the harm I possibly can. I have always had a fixed desire to kill some one, and it would be a delight to me to cut off people's heads. When I was young, my dreams were all of knives and bloodshed, and my greatest wish was to imitate Pranzini. I have hardly succeeded."<sup>1</sup> As the narrator of this case has said, we must here allow, no doubt, for a certain amount of bravado; but the crime having been actually committed, it is impossible not to recognize in this boy of sixteen a dreadful reality of purpose. The age at which grave crime appears grows earlier and earlier. Whereas a few years ago the murderer was usually a man of mature age, "nowadays it is the youth of barely twenty who murders."

As instances of the indifference with which murders may be committed, may be mentioned the cases of "Pfarrer Trinius," who, during a number of years, committed a series of murders to obtain books for the enlargement of his library, and of the book-lover Vincente, who murdered eight persons to recover rare books which he had sold. At his

<sup>1</sup> Hugues le Roux, *loc. cit.*, p. 888.

trial, Vincente displayed great depression, and this was mistaken for remorse until it was discovered that he was unhappy merely because the book for which he had committed the last murder was not unique.<sup>1</sup> A little nurse-maid poisoned two children with phosphorus from matches, for the pleasure of being sent out to the doctor's and the chemist's.<sup>2</sup> In a town of Romagna, some years ago, a priest of very gentle disposition was murdered. He was not known to have had any enemies, and it was a very difficult matter to discover the perpetrator of the crime. Eventually it was found that a youth—scarcely more than a child—had pointed out to his comrades this innocent priest as the latter was leaving the church, and then, in broad daylight, had deliberately killed him, solely to show his criminal virility, to prove himself enough of a man to commit murder.<sup>3</sup> A remarkable combination of insensibility and hypocrisy was brought to light in the case of a woman recently hanged in London. This woman, a baby-farmer, advertised that she sought the care of infants not for money but for love, and, to ensnare her prey more readily, she placed over the door of her home a figure of Christ, and under the latter the inscription: "Suffer little children to come unto me, and forbid them not, for of such is the kingdom of heaven." She is said to have drowned or strangled not less than one hundred babies.<sup>4</sup>

<sup>1</sup> Dr. H. Kurella, *Naturgeschichte des Verbrechers*, p. 240. Stuttgart, 1893.

<sup>2</sup> Havelock Ellis, *loc. cit.*, p. 131.

<sup>3</sup> C. Lombroso, *L'homme criminel*, p. 354. Paris, 1887.

<sup>4</sup> Boston *Herald*, June 12, 1896.

The cruelty of the criminal is often appalling. A man murdered his father, to rob him, and then put his mother's feet on the fire, to make her confess where the money sought had been hidden.<sup>1</sup> In point of cruelty, the female criminal often goes far beyond the male. "To kill her enemy does not satisfy her: she needs to see him suffer and know the full taste of death. In the band of assassins known as 'La Taille,' the women were worse than the men in torturing captives, especially female captives."<sup>2</sup> One woman is known to have killed by slow torture seven children entrusted to her care; another starved to death her little girl, compelling her to sit fasting at table during meals, that her dying might be made more cruel.<sup>3</sup>

A very dreadful phase of the male criminal's character is his brutal attitude toward woman. Such love as he may feel is usually only that of the beast, with often less than the latter's constancy. The imprisoned criminal frequently gives expression to pent up thought and feeling by scribbling or drawing upon walls, scraps of paper, etc., but never does he thus reveal the trace of an elevated thought or a noble sentiment: the one theme of all such literature and fine arts is the display of a gross lubricity.<sup>4</sup> A convict, speaking of women, admitted that they have their uses, then added: "But as to caressing

<sup>1</sup> Havelock Ellis, *loc. cit.*, p. 131.

<sup>2</sup> Lombroso and Ferrero, *The Female Offender*, p. 148. New York, 1895.

<sup>3</sup> *Ibid.*

<sup>4</sup> Dr. E. Laurent, "Les beaux-arts dans les prisons," *Arch. de l'anthropol. criminelle*, 1889, iv., 269.

them,—I do that with the heel of my boot.”<sup>1</sup> After strangely murdering several women, a felon said: “Yes, I love women, but after a fashion peculiar to me: I strangle them after possession; my pleasure I find in cutting their throats.”<sup>2</sup> Very similar, doubtless, was the case of “Jack the Ripper,” by whom ten women were murdered and mutilated. Many instances have been recorded in which, after such murders, cannibalism has followed—the victim’s blood being drunk or parts of her body being eaten. Lombroso mentions two murderers who, having strangled their victims, set aside parts of the bodies, to roast and eat.<sup>3</sup>

Certain diseases are very common among criminals, constituting often the basis of their criminality. Of these, the more important are epilepsy, alcoholism, and insanity. Of the former two, enough has been already said; let us now briefly consider insanity in its relation to crime.

Insanity—merely a grave manifestation of degeneracy—lies at the root of an immense number of crimes.<sup>4</sup> Instances of the kind constitute a part of every day’s news and, however terrible, excite no

<sup>1</sup> Dr. E. Laurent, *Les habitudes des prisons de Paris*, p. 536. Paris, 1890.

<sup>2</sup> Lombroso, *loc. cit.*, p. 356.

<sup>3</sup> *Ibid.*, p. 600.

<sup>4</sup> According to Langreuter, of 1200 criminal insane in Prussian prisons (1884–85), one-third at least were insane before commission of the crime for which they had been sentenced; Mendel believed this true of three-quarters of them. Sommer could find but a small number of these who were probably sane just before the criminal act.—Dr. P. Näcke, “Considérations générales sur la psychiatrie criminelle,” *Arch. de l’anthropol. crim.*, 1896, xi., 568.

surprise. The following cases are common samples. "Crazy Alice's crime: hacked her sister to pieces with an axe while the latter was asleep." This girl, aged twenty-two, had been confined in an asylum for a month as insane, and was then discharged as cured, before the crime.<sup>1</sup> "Fire to hide three murders." A woman, her husband, and adopted daughter were brutally murdered, and the house was then set afire. The murderer is said to have been "undoubtedly a raving maniac."<sup>2</sup> "Murdered his entire family." A man killed his mother-in-law, his wife, and his three children, and then committed suicide. In the opinion of the physicians the man was "mentally unsound and his act was the result of brooding over a recent similar crime in this city."<sup>3</sup> "Insane man killed six: shot a woman, two children, two officers, and himself." He had been in an asylum, and was discharged as cured.<sup>4</sup> "A maniac alighted from the 11.45 train here this morning and since that hour has shot eight men."<sup>5</sup>

In such glaring instances as those just cited, the presence of insanity is readily perceived, but in innumerable cases where the condition is less pronounced it escapes recognition, not only at the criminal's trial but throughout the whole term of his imprisonment.

The insane who are most frequently at liberty,

<sup>1</sup> New York *Herald*, August 6, 1896.

<sup>2</sup> New York *Times*, April 15, 1897.

<sup>3</sup> New York *Evening Post*, February 5, 1896.

<sup>4</sup> New York *Times*, April 26, 1896.

<sup>5</sup> New York *Evening Post*, March 9, 1896.

and free to work criminal mischief, are the so-called "paranoiacs"—the typical "cranks"—and such persons as, having been insane, are erroneously supposed to have made a complete and permanent recovery.

By "paranoia" is meant a condition of mind characterized by the presence of fixed delusions, with perhaps hallucinations but without other evidence of insanity. An individual in this condition usually reasons remarkably well, but certain of his reasoning processes are based upon persistent false premises, which no amount of valid evidence can induce him to relinquish. The paranoiac thus erects for himself an elaborate structure of thought which, although exceedingly logical in every detail perhaps, is yet, because of the false premiss at its base, a pure fiction. But this fiction is regarded as truth by the morbid mind, and there results accordingly a course of action which is entirely out of harmony with reality and often exceedingly disastrous for the community.

It is generally admitted that, in the vast majority of cases, this form of insanity is dependent upon an inherited taint.<sup>1</sup> The paranoiac is recognized at an early age as being very peculiar, and the peculiarity usually increases until the individual comes to be spoken of as "cracked." Toward the age of thirty, there is usually further exaggeration of eccentricity, with the gradual appearance of systematized delusions. The climax of mental disorder is reached only after a number of years, as a rule, and then

<sup>1</sup> Appendix 14.

remains stationary, the characteristic of the disease continuing to be the persistence of delusions, perhaps with hallucinations.

The delusions of the paranoiac constitute an exaggeration of self-importance (megalomania), or are ideas of persecution; the latter are much the more frequent, but the two forms of delusion may co-exist or succeed each other. The delusions of persecution render the subject of them very dangerous, for he may, at any moment, turn upon his supposed enemies and kill them, as in the following two cases.

"The son of a member of a manufacturing firm in one of our larger cities, laboring under certain suspicions regarding a business associate of his father's, took a bomb into the place of business, intending to 'clean out' the firm, and particularly to kill the obnoxious member of the latter. He exploded the bomb, demolishing the entire store front, killing his uncle, wounding the object of his wrath, and injuring himself mortally. He then drew a revolver, and discharging it against himself, made sure of his own death."<sup>1</sup>

"Dubourque, the 'Fourteenth Street assassin,' who had inherited from his father the malformed cranium and insane expression of a monomaniac, as well as the delusion that an uncle had died leaving him several millions of dollars, which were withheld by the Government of the United States, had heard as a child [through hallucinations of hearing] that the neighbors proposed poisoning him, the heir to

<sup>1</sup> Dr. E. C. Spitzka *Manual of Insanity*, p. 309. New York, 1892.

this great estate. While at work painting a transatlantic steamer, after his father's death, he heard remarks by his fellow-workmen to the effect that, now that the older claimant was dead, they would waylay him that night and thus exterminate the family of heirs. On three occasions he stabbed persons who, he alleged, were pursuing him and crying out to kill him on the street. On the second occasion he had stabbed a police officer. On the first he told such a plausible story of an assault and his earnestness of manner was so impressive that the police magistrate before whom he was brought discharged him. On the last occasion, in broad daylight, he was passing through a crowd of ladies on Fourteenth Street who were out shopping on that thoroughfare. The expression, attitude, and walk of the man were such that many of the passers-by avoided him. Suddenly he drew a pair of compasses, such as is used by artists, and began stabbing right and left. It is not known how many persons he stabbed, but three women were dangerously and one was fatally wounded. To the writer, who examined him, at the request of the district attorney, he said that from all sides he heard the cry, 'There goes the man who is going to take all that money out of the land; he is going next week. Kill him!' and that then he had drawn his weapon to defend himself."<sup>1</sup>

Numberless cases of this kind might be cited. Every few days we read in the newspapers that the life of some man, usually conspicuous through high position in the state or by reason of wealth or social

<sup>1</sup> Dr. E. C. Spitzka, *loc. cit.*, p. 313. New York, 1892.

influence, has been threatened or destroyed by a "crank." In every large city, these rabid creatures infest the streets, and whatever our age, our innocence, or our usefulness, when we leave our homes in the morning it may be that we shall not return, because slain as the victims of some roving lunatic. However harmless the paranoiac may appear, there is within him a potentiality which the most trivial circumstance may ignite into explosive violence. Paranoiacs "live in a world of their own, and to them the sane seem just as abnormal as they do to the sane. . . . They are as much the enemy of the sane as the wild beast is the enemy of man. Their delusions are so fixed and their intellects are otherwise so keen that there can be no truce between them and the sane."<sup>1</sup> Prone, through the nature of their disease, to find a grievance, they readily accept the idea that society is an oppressor, and, possessed of an irresistible purpose, they proceed to wreak a disastrous vengeance.

Relative to the curability of paranoia, Krafft-Ebing,<sup>2</sup> an eminent authority, says that among more than a thousand cases coming under his own observation he has never seen a recovery, although there have been lucid intervals of brief duration, especially at the beginning of the disease, and decided remissions, lasting for some time, with complete latency of symptoms (delusions, hallucinations). Not seldom, also, there are complete intermissions

<sup>1</sup> Landon Carter Gray, M.D., *Medical Fortnightly*, St. Louis, 1894, v., 149.

<sup>2</sup> *Lehrb. d. Psychiatrie*, p. 401. 5. Auflage, Stuttgart, 1893.

which may last for years, and during this time the patient may fully appreciate, and effectually control, his morbid condition. These intermissions may appear after a number of years, but are not to be mistaken for recoveries, since in all these cases, sooner or later, the paranoia returns, and not as a relapse which must run through the whole morbid process from the beginning, but setting in at the point where it had become latent. He cautions against mistaking the not infrequent, and at times very skilful, dissimulation of these patients for intermissions. At times they are so well able to control themselves and to give the appearance of health that only through some emotional excitement, with perhaps a further fragment of their story of suffering or greatness, is their true condition revealed.

Now we turn to a question of very vital importance. Is the number of criminals who afflict civilized society diminishing or increasing? We must admit frankly that this question cannot as yet be definitely answered. It is still the subject of considerable controversy. Personally, I incline strongly to the belief that of the crime which shocks the moral sense, as distinguished from the crime which merely contravenes certain legal enactments, there is not only an actual increase but that it is out of proportion to the increase of population. The following data<sup>1</sup> from the United States census indicate a gradual increase of crime among us:

<sup>1</sup> Quoted by Austin Flint, M.D., *New York Medical Journal*, 1895, lxii., 481.

	PRISONERS.	RATIO TO POPULATION.
1850.....	6,737	1 in 3,442
1860.....	19,086	1 " 1,647
1870.....	32,901	1 " 1,171
1880.....	58,609	1 " 855
1890.....	82,329	1 " 755

According to Professor von Liszt, 15,000,000 persons were convicted in German criminal courts "within the last ten years," and he gives a gloomy outlook for the future. The condition in France is said to be quite as alarming. M. Henri Joly estimates the increase of crime in that country within the last half-century at 133 per cent., and the rate is still increasing.<sup>1</sup>

"Whilst crime among the adult population in Germany has increased between twenty-five and thirty per cent. within the last ten years, juvenile crime has increased more than fifty per cent."<sup>2</sup> The following table<sup>3</sup> gives the percentage of youthful criminals—between twelve and eighteen—convicted in Germany during a recent series of years:

	PETTY THEFT.	GRAVER THEFT.	BURGLARY AND HIGHWAY ROBBERY.
1882.....	17.6	21.1	9.7
1883.....	17.4	22.3	11.9
1884.....	18.1	22.5	14.8
1885.....	18.3	23.6	12.3
1886.....	18.9	24.5	14.1
1887.....	20.3	26.2	15.8
1888.....	20.8	27.4	19.6

<sup>1</sup> W. Douglas Morrison, *Crime and its Causes*.

<sup>2</sup> *Ibid.*, p. 8.

<sup>3</sup> Dr. H. Kurella, *Naturgesch. d. Verbrechers*, p. 168. Stuttgart, 1893.

The more rapid increase of crime among the young than among the adult members of society is rendered still more alarming through the increasing gravity of youthful offences. In Paris, more than half of the individuals arrested are less than twenty-one years of age. Thus, in 1879 among 20,882 arrests there were 12,721, and in 1880 among 26,475 arrests there were 14,061, cases of youthful offenders, and the offences of these were almost all grave. In a single year, the crimes committed by persons under age were as follows: 30 assassinations, 39 homicides, 3 parricides, 2 cases of poisoning, 114 infanticides, 4212 assaults, 25 incendiarisms, 153 cases of rape, 80 cases of criminal indecency, 458 "qualified" thefts, 11,862 simple thefts.<sup>1</sup> According to the census of 1890, there were in the United States 23 children under the age of fourteen, and 388 juveniles between the ages of fifteen and eighteen, under detention for the crime of homicide. Says the president of the Society for the Prevention of Cruelty to Children: "Child criminals are increasing in this community. Notwithstanding all the humane, legal, and religious influences at work, this unpleasant fact cannot be denied."<sup>2</sup>

In commenting, recently, upon English criminal statistics, the *London Times* says: "There is a diminution in almost all kinds of larceny. . . . But in regard to offences against the person and offences against property accompanied with violence

<sup>1</sup> Dr. Paul Aubry, *La contagion du meurtre*, p. 48. 2me édit., Paris, 1894.

<sup>2</sup> *New York Times*, February 7, 1897.

there is a tendency to a distinct increase . . . there is a tolerably steady increase in some offences unconnected with poverty. Crimes originating in passion and cruelty of disposition do not diminish. Instead of civilization exterminating them, it seems, though perhaps only temporarily, to encourage some of them."<sup>1</sup>

While many crimes are never detected, many others are not followed by prosecution, and so fail to count in the records. There is a strong disposition among people whose circumstances are fairly comfortable to endure the milder forms of criminal injury without seeking redress through the law. Thus a Parisian scamp, wishing to be sent to prison, to escape the necessity of providing for himself food and shelter, entered a large restaurant and there ordered and consumed a breakfast worth eighty francs, after which he coolly announced his inability to pay; the proprietor, saying that he had no time to waste over the matter at court, simply had the man put out. Later, in similar fashion, he obtained a meal at an hotel, and here, too, was unsuccessful in his attempt to be arrested. Only after the third or fourth trial of this method did he succeed in being imprisoned.<sup>2</sup>

Of late years, there is an increasing unwillingness on the part of magistrates to commit children to prison. Thus, a boy was seven times convicted of felony without being sent to prison, and upon the eighth conviction was committed to prison but

<sup>1</sup> Quoted in *Charities*, New York, April 15, 1899, p. 7.

<sup>2</sup> G. Tarde, *Arch. de l'anthropol. criminelle*, 1894, ix., 643.

merely as a preliminary to treatment in a reformatory.<sup>1</sup> Of the juvenile offenders brought to an English reformatory in 1891, thirty-three came as for a first offence, but upon closer investigation it was found that all of these had previously committed offences for which many of them had been also convicted—the conviction, however, remaining unrecorded; and that at least twenty-four per cent. of them had been in voluntary homes and truant schools before final committal to this reformatory.<sup>2</sup>

The number of criminals who, upon expiration of their sentence, revert to the old ways of crime is most disheartening. According to Dugdale, the rate of criminal recidivism is usually set down at about 26 per cent., but “actual investigation” shows—for all crimes—75.63 per cent.; for crimes against the person, 59.52 per cent.; for those against property, 79 per cent.<sup>3</sup> A man, aged forty-two, committed to prison for a supposed *second* offence, was found to have begun his prison-life at the age of seven, and to have been in prisons of some degree—mostly penitentiary—*sixteen* times, each time being committed from New York City. Another man, aged seventy-four, committed to State prison, according to the records, for a *second* offence, was found to be really serving his *seventh* term in this same prison.<sup>4</sup> An English authority

<sup>1</sup> W. D. Morrison, *Juvenile Offenders*, p. 11. New York, 1897.

<sup>2</sup> *Ibid.*, p. 75.

<sup>3</sup> R. L. Dugdale, *The Jukes*, p. 73, 3d edit.

<sup>4</sup> *Ibid.*, p. 73.

estimates the proportion of old offenders at about seventy per cent.<sup>1</sup>

The number of criminals who relapse into crime after undergoing punishment is, undoubtedly, much greater than even the high percentage just given would indicate. With growing experience in iniquity, the criminal becomes more cautious, and with the increase of his power for mischief, the chance of his detection is diminished.<sup>2</sup> "The tendency of many criminals from the age of twenty-five is to change from executors of crime to contrivers of the same, from the thirty-fifth to the forty-fifth to become crime capitalists, or the keepers of liquor shops or brothels where crimes are planned. They thus measurably avoid arrest and imprisonment."<sup>3</sup> This tendency of the mature criminal to turn from the more manifest to the more concealable forms of crime gives rise often to the specious appearance of reform, and underlies the doctrine that criminality is most active between the ages of twenty and thirty—which view seems to rest mainly upon the fact that a larger number of criminals within these ages than of the more youthful or the more mature are caught in the nets of justice. The man who has retired from such overt crime as occasional burglary and murder may become still more dangerous to

<sup>1</sup> W. D. Morrison, *loc. cit.*, p. 236.

<sup>2</sup> A woman, of over sixty years, "an expert thief with an international reputation," recently fell into the hands of the police at Chicago. She "has been arrested no less than one thousand times during her life, but she has seldom been sent to prison, because, the police say, she is too clever."—*New York Times*, Sept. 19, 1897.

<sup>3</sup> R. L. Dugdale, *loc. cit.*, p. 63, 5th edit.

society as the zealous and indefatigable teacher of nefarious ways to a younger generation; and if the degree of criminal activity be determined not by the frequency of arrest or flagrancy of an individual's own deeds but by the measure of real mischief, we should regard middle age as the most fruitful period of criminality.

Criminals are often very religious, and this fact impresses many benevolent persons with the idea that they are reclaimable; but, upon analysis, their religion appears utterly to lack the moral element, and to be mere superstition. "Among two hundred Italian murderers, Ferri did not find one who was irreligious. 'A Russian peasant may be a highway robber or a murderer, but he continues nevertheless to cross himself and say his prayers.' . . . Of Marro's five hundred criminals, forty-six per cent. were regular frequenters of church, twenty-five per cent. went irregularly. . . . A French chaplain of experience and intelligence told M. Joly that he had 'more satisfaction' with his prisoners than with people of the world. 'Convicts at their last hour,' wrote Lauvergne, 'nine times out of ten die religiously. . . .'<sup>1</sup> Verzeni, the strangler of three women, was known as most assiduous and devout at church and confessional.<sup>2</sup> A woman who had strangled and dismembered a little child to revenge herself upon its parents, upon hearing her death-sentence, turned to her counsel and said: "Death is nothing: the one important thing is to

<sup>1</sup> Havelock Ellis, *loc. cit.*, p. 156 *et seq.*

<sup>2</sup> Lombroso, *loc. cit.*, p. 418.

save one's soul. If I save mine, I care for nothing else."<sup>1</sup>

The occasional glimpse of some finer feeling in the hardened criminal is apt to receive from the philanthropist an exaggerated recognition; but such display of sentiment rarely gives reasonable ground for the belief that the man may be reformed. A man murdered his sweetheart in a most cruel manner, then returned to the house to let out a canary, lest it should suffer for want of food.<sup>2</sup> Another killed a woman, then remained to feed her child which cried.<sup>3</sup> A man committed a murder, and on the same day risked his own life to save that of a cat.<sup>4</sup> A poisoner, "dreaded, disliked, and shunned by everybody," was very fond of cats; his only companion was a cat, and for this he appeared to have a strong affection. The most unscrupulous scoundrels sometimes manifest a strong love for wife and children; but such affection, like that of the ferocious tiger for its mate and its young, does not render them one whit less dangerous for society.

In his dealings with the defective and criminal, the hopes of the ardent philanthropist almost always find bitter disappointment, and it is not strange that this should be so, for as the base of his reasoning he usually posits the false premiss that given conditions must influence the very weak and the very vicious as they would influence him. Too often the philanthropist has no wide and deep acquaintance with the manifold varieties of human character; or he is so

<sup>1</sup> Lombroso, *loc. cit.*, p. 413.

<sup>2</sup> Havelock Ellis, *loc. cit.*, p. 153.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

imbued with the spirit of charity that he must fain shut his eyes to the innate weakness and foulness of those whom he would befriend, and interpret the faintest glimmer of moral light which he may perceive in them as the dawn of an effulgence such as possesses his own soul. The benevolent idealist, a being of the upper air, can seldom comprehend that those over whom he hovers with dreams of helpfulness are usually mere grimy creatures of earth, to whom no rudiment of wings has been given. He cannot raise them from their element; his aims have thriven if, here and there, he can check their descent into the black ooze.

## CHAPTER V

### A REMEDY

THAT the methods as yet proposed for the betterment of our human condition are alarmingly inefficient is fast coming to be the general conviction. It is very clear that there are individuals innumerable who are destined, through their lack of development, to be lifelong burdens, whose influence for evil often becomes intensified in succeeding generations; and it is no less evident that there are many criminals who, in their very nature, must be incorrigible. As members of the first class I need mention only the idiots and imbeciles, and as of the second, the moral imbeciles, hysterical and epileptic criminals, and the criminals who are incurably insane. Against these two classes which curse the human race we have as yet no remedy.

But an inspiring idea is unfolding with the knowledge of these recent years. Poverty, disease, and crime are traceable to one fundamental cause,—*depraved heredity*; they are *not* a necessary human heritage, but result from our toleration of the weak and vicious. Such base scions of human kind not only vex their own generation, but contaminate posterity, in an ever-widening reach, until whole

nations have partaken of the infection. The weakening and debasing ancestral elements thus transmitted are the ultimate cause with which we must do battle: we may hope to triumph in the degree that we cease to breed strains which are weak or vicious.

We must learn from nature's method for the preservation and elevation of races,—the selection of the fittest and the rejection of the unfit. The life of each organism waits upon nature's approval: if deemed unworthy, the creature is quickly resolved into its constituent atoms, usually before it has had opportunity to multiply its kind. I believe that our true progress as a people depends upon our application of this natural method.

The root of all our evil lying in human nature, if we can change that, we may hope to do away, at least in great measure, with such elements as clog the progress of our race toward perfection and happiness. Plans innumerable have been devised for the reformation of humanity, but they all have failed because incompatible with human nature. The application of such plans has always required for even a successful beginning a degree of altruistic feeling which, in the actual man, is seldom or never to be found. Many, doubtless, will shake their heads and raise against the plan here proposed the objection usually so fatal,—the supposed fundamental truth that we can *not* change human nature.

Let us consider what we mean by this fundamental something which is thought insusceptible of change. By human nature we mean merely the

specific *tendency* to action which is based upon the aggregate of a human individual's thoughts, feelings, and volitions, and ultimately upon that individual's structure of brain. To change human nature, then, we need merely to change the *tendency* of our mental life. This can be done to a certain degree by modifying the functions of our brains—stimulating the function of certain quiescent structures and repressing the function of other structures which are unduly active; but if we require a very great modification of inherent tendency, we must wait for another generation, for the building of a new brain. Habit is commonly, and well, said to be second nature, and human nature is really only ancestral habit; we need, then, to effect any required change in the human nature of future men, merely to provide for them the kind of ancestors whose habits we desire to have perpetuated and intensified.

Whether the human mind be regarded as the manifestation merely of brain-function or as the manifestation of an immaterial essence,—a spirit or soul which uses the brain as tool or organ,—all our knowledge bearing upon the matter goes to show, as thoughtful people generally are quite willing to admit, that the character of such manifestation must depend upon the kind of brains which men have, and upon their condition. If, then, the mental or spiritual manifestations of our race are not satisfactory, we are justified in believing that these would improve were we able to supply our offspring with better brains. Until recently, every one believed in the doctrine of "everlasting hills," and in the

immutability of plant and animal species, but now we know definitely that everything in the universe which comes within the domain of our apprehension is in process of change. Even within our historic period there have been well-defined progressive changes in the human body,<sup>1</sup> and it can no longer be doubted that changes in the brain, with concomitant advantageous changes of character, may be gradually and permanently effected in man, as has been accomplished in the lower animals, through selection in breeding.

The special element of "human nature" which appears so fatal to the advance of the race is the individual's tendency toward gratification of his own desires, with disregard of the happiness and welfare of his fellow-men. Gratification of his desires is, indeed, the fundamental element of man's mental tendency, which we term selfishness, and this, while the race endures, we shall never eliminate. Nor is it desirable that we should cast out *all* selfishness. This tendency is of two kinds. There is a craving which is directed only toward the greater comfort of self: this is selfishness as commonly understood, the root of all human discord. There is another craving which seeks satisfaction in the happiness of our fellows: this, too, is really selfishness, but of an exalted kind, altruism, the god-like element in our human life. For the rejuvenation of the race, we need to multiply those individuals whose dominant craving is the altruistic sense, and to eliminate those whose lives are ruled by the baser

<sup>1</sup> Appendix, 15.

selfishness. It is among the many defectives thrown upon the State for maintenance and the many vicious held in restraint by the State on account of their crimes, that a system of elimination seems practicable; and through it there would be given ever-increasing opportunity for the expansion of such lives as tend to advance the standard of the race.

It is thus by an artificial selection that it is proposed to elevate the human race. While not interfering with the general productiveness of our kind, I would limit the multiplication of the organically weak and the organically vicious, restricting the plan, however, to the *very* weak and the *very* vicious *who fall into the hands of the State, for maintenance, reformation, or punishment*. The surest, the simplest, the kindest, and most humane means for preventing reproduction among those whom we deem unworthy of this high privilege, is a *gentle, painless death*; and this should be administered not as a punishment, but as an expression of enlightened pity for the victims—too defective by nature to find true happiness in life—and as a duty toward the community and toward our own offspring. To change for the better human nature as found in vicious stocks would be, as we have seen, a slow and exceedingly difficult, if not hopeless, undertaking; but so to change it in stocks already good is but a hastening of the natural trend of human evolution.

Let us now unfold, somewhat more in detail, the plan under consideration, premising that an idea so

radical and so replete with practical difficulties cannot at first be shaped into any great degree of definiteness. Indeed, for the reduction of the principles here enunciated into a form susceptible of practical application, no one individual is competent; but I believe that the task is not too grave for the aggregate wisdom of society.

The essential feature of the plan is the gentle removal from this life of such idiotic, imbecile, and otherwise grossly defective persons as are now *dependent for maintenance upon the State*, and of such criminals as commit the most heinous crimes, or show by the frequent repetition of crimes less grave, by their bodily and mental characters, and by their ancestry, that they are hopelessly incorrigible. But we may specify more minutely the individuals whom we should select for extinction.

It is clear that all idiots would require such a decision; and of imbeciles by far the greater number, and especially those who while intelligent gave sure indication of *moral* imbecility. The majority of epileptics would require extinction; but those in whom the disease has apparently been caused by injury or by some removable condition, and whose families give indication of but little degenerative taint, should first be detained for a time, to profit perhaps through the chance of cure by treatment.

Respecting habitual drunkards, the degree of addiction to drink which should necessitate extinction would best be decided through a physical and mental examination. The essential question being the degree to which the man might be dangerous to

society, the answer would be found in the condition to which drink had reduced his bodily and mental powers, and not in the quantity of liquor consumed in a day, nor in the number of years through which the drunken habit had persisted. The chances of reformation should, of course, be carefully weighed, the man's family history (in a medical sense), his temperament, previous career, and present circumstances all being duly considered; but it would need to be borne in mind that even the reformed drunkard may still be indirectly very dangerous to society,—as a parent; and the younger the man, the more heavily should this principle count against him. Often the habitual drunkard would be found likewise an epileptic: the victim of this combination of vice and degeneracy would require immediate extinction. At other times, and often, the habitual drunkard would be found weak-minded, and, whether his mental condition were that of congenital imbecility or of acquired alcoholic dementia, a prompt removal from life would be the obvious decision.

In the case of criminals, we should need to exercise much discrimination, but the general principles as to the selection of proper subjects for extinction might be laid down as follows: First, not so much the injury dealt to society by any single act, as the dangerous quality of the criminal should be the determining factor. In a sense, the criminal deed might be regarded merely as the inconsiderate act which had thrown a man whom society had had need to fear into its hands for judgment; and the deed itself might have little share in guiding us to

our decision—for death or an attempt at reformation. Murder being still regarded as the greatest of all crimes, it would not follow that the life of every murderer should be taken from him. One murderer, in spite of the deliberateness of his deed, might still be a very useful member of society and one who, after the infliction of some penalty other than death,—for the sake of its deterrent influence,—would be thereafter far less likely than the average citizen to take a human life. Another murderer, less guilty than the first according to the old-time way of judging, might appear to be constitutionally of so dangerous a character, so irreclaimable, that in his case death would seem to be the only reasonable sentence.

There is a large class of offenders not murderers to whom, as it seems to me, the death-penalty should be awarded: these are the nocturnal house-breakers. There is no criminal more regardless of the rights of his fellow-men, more continually aggressive, more hardened, more ruthless, more incorrigible. The common murderer takes life usually because of some real or imagined injury which he has sustained,—in some measure as a means of self-vindication or self-defence; the burglar's crime, on the other hand, is one of rankest aggression,—he makes his plans with coolest deliberation and prepares himself, as a matter of course, to commit murder, should it appear desirable for the accomplishment of his theft or for escape from possible pursuers. The men who enter upon this criminal career are, with exceedingly few exceptions,

uninfluenced for the better by their experience in reformatory or prison. They band themselves often into formidable "gangs," and, upon expiration of a penal sentence, they hasten back to their former comrades and the old life of spoliation. It appears incomprehensible that these incorrigible ruffians should be sentenced to merely limited terms of imprisonment and be released, again and again, with the moral certainty of a continuance of their depredations upon property and even life. The enormity of these criminal lives is such that there is urgent need for their early extinction.<sup>1</sup>

Innumerable criminals are found to be idiots, imbeciles, epileptics, habitual drunkards, insane, or even to constitute some combination of these dangerously defective characters: all such, speaking generally, should receive the death-sentence. Finally, such prisoners, whatever their offence, who have shown themselves by their record in reformatory or prison to be hopelessly irreclaimable, should likewise undergo this condemnation.

The roll, then, of those whom our plan would eliminate consists of the following classes of individuals *coming under the absolute control of the State*: idiots, imbeciles, epileptics, habitual drunkards, and insane criminals; the larger number of murderers; nocturnal house-breakers; such criminals, whatever their offence, as might through their constitutional organization appear very dangerous; and, finally, criminals who might be adjudged incorrigible. Each individual of these classes would undergo

<sup>1</sup> Appendix 16.

thorough examination, and only by due process of law would his life be taken from him.

The painless extinction of these lives would present no practical difficulty: in carbonic acid gas we have an agent which would instantaneously fulfil the need.

It is quite possible that the actual application of the plan here suggested—more especially as affecting individuals other than criminal—might necessitate a change in existing State or Federal Constitutions, but the essential idea here broached having met with quite general acceptance, any necessary Constitutional changes would be mere matter of detail.

The number of individuals to whom the plan would apply is large, and that all of these should be put out of life by judicial process appears very appalling. But let us consider. In the United States, "we have gone up from 1449 murders in 1886 to 14,000 murders in 1896"<sup>1</sup>, an average of 38 murders a day. Do we not, then, live in the shambles,<sup>2</sup> and is not the taking of human life an every-day affair to which we have become very nearly callous? It appears certain that there is a steady increase among us, not only actual but proportional, year by year, in the quantity of human slaughter; it would surely be a gain were we able to change the place of such slaughter from our streets and homes to our penal

<sup>1</sup> The *Washington Post*, March 17, 1897.

<sup>2</sup> I have been unable to find any satisfactory statistics relative to the annual rate of murders in the United States. Naturally, in quite a number of cases, there must remain much doubt as to whether a death has been due to accident, disease, suicide, or murder.

institutions, and could we substitute as victims the worst of our criminals and "defectives" for the respectable and useful citizens now so often selected. Such a judicial taking of life, although at first extensive, would do away more and more, generation after generation, with its own necessity. If we are so little stirred by the annual violent death, brutally inflicted, of 14,000 of our fellow-citizens, why should we suppose that the painless and merciful death of even a larger number of worthless or dangerous individuals might prove unbearable?

In point of fact, if such a remedy were ever applied, we may be sure that it would first be tried on a small scale, allowing ample time for adjustment to the new procedure, before it had assumed its possible larger proportions. Certainly, so momentous an experiment would be conducted with the utmost caution, and we should feel, at every step, that we had ourselves and our method well under control, able to advance or recede according to the dictates of reason and conscience.

Doubtless, were the remedy once generally adopted, many individuals who now appear incapable of reform would be induced to break their habits of vice or crime, and to become useful members of the community; and such persons as remained uninfluenced for the better by the expectation of an early and penal death we might quite safely regard as truly incorrigible.

We must remember that, in administering death, we merely bring sooner to a man that which must inevitably come by due process of nature. At

present, many a man whom this plan would remove slays a number of his fellows and then destroys himself: would it not have been an advantage to him and to his victims had we, by a painless death, forestalled this suicide and multiple murder? When we reflect upon the long-stretched, unhappy lives and painful deaths of such numbers of the world's noblest, we may contemplate almost with envy this gentle and early release vouchsafed to the least worthy.

Certain other considerations, of an ethical kind, are essential to the proper appreciation of the proposed remedy: let us now give to some of these our careful attention, beginning with the great question of moral responsibility.

We do not create ourselves: we start in life with such bodies and minds as have been given us. In our earliest years we surely have no responsible share in the making of our environment, so that thus far we are not responsible for what we are, nor for the direction in which we develop. Later we seem, through the exercise of our wills, to have an influence upon the moulding of our environment, upon each act of the moment, upon the expansion of our faculties, and upon the shaping of character; but those wills themselves are a part of our organization, and are already unalterably *biased* by the structure of body and the cast of mind originally given and by the influence of that earliest environment in the making of which we cannot be supposed to have had the slightest share.

In any community, an individual's appreciation

of what is really good for himself and what good for society, and of the degree to which his own interests should yield to those of his fellows, must vary with his original endowments and with the nature of his environment. Further, whatever his comprehension of these things, the strength of will wherewith to act in accordance with his sense of right must vary greatly for each individual, in accordance with conditions which he has had no part in creating. The play of motives within a man's mind may be analyzed, to a degree, by himself and even by his neighbor, but the complex influences underlying and controlling these motives are beyond human ken and measure. However it may be with the general mass of men, we all believe, when we seriously reflect upon the matter, that there are *many* individuals to whom, through congenital imbecility or mental disease, it is utterly unreasonable to impute any moral responsibility; and to this number we should add many individuals whose conduct must be deeply influenced by mental defect or infirmity, although such condition be so subtle as to escape general recognition. Surely, this consideration must have great weight when we sit in judgment upon the moral delinquencies of our fellows. When none of us can measure our own guilt, who shall determine the moral responsibility of his neighbor? The attempt must ever be futile.

But for the practical issues of life, we have no need of such superhuman insight. In the matter of our likes and dislikes, an estimate as to moral worth may still be an important factor, for this is a question

of personal taste to be decided mainly by sentiment; but in the construction of plans for the broad interests of society we must accept the degree of a man's *social* worth as a tangible and all-sufficient measure. From birth to death, we all exist through the toleration, and by the active support, of society. The only claim to this toleration and support which society can afford to recognize is found in our social worth. But in the conception of social worth we must have room for a broad appreciation of the possibilities of humanity: not only vigor of physique, and aptitude for the development of material resources, but æsthetic and ethical gifts, and all that tends to lift man higher above the brute, must have due recognition. We shall then have a fairly tangible criterion upon which society may base its action. By a man's deeds society must judge him. If these, when discriminately examined, appear predominantly good, in the sense of being advantageous to society, the latter must approve the man as worthy, without inquiry as to the degree of his intrinsic moral merit—a point indeterminable. If the man's actions be predominantly bad—directly or indirectly hurtful to society's deep interests—the necessary inquiry will be not as to the man's moral guilt but as to the steps requisite to prevent a recurrence of such social damage. We cannot properly say, in this case, that the man deserves *punishment*, for we know nothing of his true responsibility, but we may determine that the preservation of society demands that he be placed under restraint, or that he be coerced, or that his life be taken from him.

We may—and should—feel a deep pity for the man whom we thus put from us, and yet be persuaded that society cannot longer tolerate his existence.

There are certain natural laws upon the observance of which the very being of society is conditional. We have not made these laws, but have been given intelligence to recognize them. Into society there are born, from time to time, individuals whose lives are so incompatible with these fundamental laws that society if it harbor them must perish. What need can we have, as practical men, to speculate here as to moral guilt? Whether such be present or absent, the essential condition is not altered: in the mere existence of these individuals lies the menace to the life-continuance of society. By the instinct of self-preservation wherewith society has been endowed, the lives of these individuals must be taken.

According to the view here sketched, the idea of administering *punishment*, as such, should be abandoned forever; but penalties must continue—if under a new name—as long perhaps as the race shall endure. With such a change in our penal philosophy, penalties should be inflicted not in wrath but in sorrow, as a kindly necessity often for the offender's own sake as well as for the preservation of society, and never as the harsh act of vengeance. Officially, then, with the *moral* responsibility of men society has absolutely nothing to do; it should concern itself with the degree of their usefulness—as understood in the broadest and most enlightened sense—and with the degree of injury which may result from their continued existence.

Now, some of my readers may agree that this disposal of the very vicious is reasonable enough and thoroughly salutary, and yet believe it unchristian and barbarous that any should be given over to death merely because of their weakness or helplessness. Let us consider this difficulty. The bond between weakness and viciousness is very close; indeed, in most cases, they are but two superficial aspects of one deep-lying constitutional degeneracy. Is it not the rule that when the child is morally very weak the man is depraved, that when the father is morally very weak the son is vicious? Shall society ignore what every man knows, and wait until useless plants have run to noxious seeds before we uproot them? To one who reflects upon the laws of growth and reproduction, such action seems madness.

The great majority of intelligent and humane people approve fully the taking of life, by judicial process, in certain cases—not only as a penalty for murder but under certain other circumstances, as, in time of war, for a soldier's desertion. Here, it must be admitted, the only authority for such action rests upon the general conviction of expediency—the consensus of opinion that the safety of society requires this extreme measure. Now, the enlightened judgment of the day is tending strongly to abandon the idea that judicial penalties are inflicted as *punishment*, *i. e.*, as a kind of *revenge*, and to hold rather that they are used for their deterrent effect upon the tendency to crime, or for their beneficial influence upon the criminal; in other words, that penalties are

applied as may seem *expedient* for the welfare of society. If, then, penalties are but expressions of expediency, the question of *moral* guilt or innocence need hardly arise in connection with their administration, and we should inflict them, *within reasonable limits*, wherever required for social safety. The extinction of life is as justifiable, thus, in the case of those individuals who are merely weak as in the case of those who are vicious, provided that the safety of society appears to demand so stern a measure. We cannot reasonably draw the line here between the very weak and the very vicious, and if, to our great hurt, we halt in this matter, it is simply because of an unreasonable sentiment. If the safety of a nation be threatened by war, it is generally held to be right that countless lives of its best citizens should be voluntarily offered, or sacrificed under compulsion, to preserve its existence. Can it be regarded as wrong, then, to protect a nation from a far graver and more constant danger than a foreign foe—the insidious transmission of a foul and debasing heritage—by condemning certain weak, useless, contaminating lives to extinction? Our minds are adjusted to the frequent execution of the vicious, but we shrink from a plan for the elimination of the very weak—the breeders of the vicious—merely because of its novelty. Were these two sad burdens similarly removed, we should soon regard the process as equally justifiable in the two cases.

But there is another aspect to the question. The weakling is usually an unhappy creature, to end whose being appears a mercy. Let us give our

thought, for a moment, to the subject of happiness. That a man may be happy, his activities must be useful—whether so intended or not—to society; or, at least, they must not be hurtful. This we may state as a general rule. Happiness is the accompaniment of a free and effective play of our physical and mental powers. While engaged in such work as conduces to the general benefit, not only do we feel that our efforts are not likely to meet with great hindrance from the opposition of other men, but we have a consciousness of sympathy and approval which adds to the pleasure of mere exertion. Useful lives are thus, as a rule, the happiest. There are other lives, however, which appear to be happy, although they present as a product little or nothing of usefulness. Many persons seem to live enwrapt within themselves: their energies are mainly spent in abstraction from exterior things, and in study or contemplation; and, although they may produce nothing to benefit their fellows, the great happiness which they undoubtedly experience is explicable through the free play of their powers according to their bent. But in the case of those individuals whose powers are expended not in usefulness but in injury to the race, the free play of faculty upon which happiness depends is constantly opposed by the restraints of society: these men might be happy were it not that they ever find, or fear to find, an obstacle placed by human hands in the path of their desires. It would seem that difficulties offered by infra-human nature incite in us a pleasurable desire to surmount them, whereas those put in our way by

our fellow-men induce, besides an impatience to overcome them, a feeling of bitterness or rancor. The men whose energies are anti-social can but seldom find much happiness in the world, and such as they obtain cannot be of an exalted kind; and to our limited vision it appears that for them, with their meagre compensation for the many grievous ills which life must bring, death can be only a relief.

If we have here portrayed in any measure the true essence of happiness, the weakling's life can have but little joy. His functions are for the most part feeble, and, with our present physiological knowledge, we cannot conceive of any but languid pleasure as the concomitants of languid powers. Through his weakness, he is more constantly a victim to disease and other adverse natural influences than the man who is fairly normal. With weakness, as we have seen, are almost always joined other manifestations of degeneracy—vicious tendencies which bring the energies of the weakling into collision with society, to the spoiling of any pleasure which might otherwise accrue to him through their activity. Finally, through his degeneracy, the weakling is at war with himself, for lacking that balance of functions which is the essential characteristic of the so-called normal man, his physical and mental powers clash together in perpetual discord, whereby there are often induced by day disquietude and pain, and by night torturing dreams, until his life is made an almost unceasing misery. We have reason to believe then, quite apart from any thought of advantage to the race, that it is well for the very

weak when their abnormally burdensome life comes to an end. The test of social worth will enable us to judge fairly well as to the degree of weakness at which society should draw the line and refuse its support. It being evident to our best judgment that the child before us gives no prospect whatever of advantage to society, and that there is an emphatic promise of misery to the poor little being itself and of injury to society, I maintain that it is our duty to the child, to ourselves, and to all posterity, that we extinguish painlessly this unfortunate life, and so fulfil the law of a far-sighted and kindly altruism.

We come, now, to a very grave consideration. What is the thing Death that we propose to use as our sovereign remedy? Let us see whether the attitude which we now generally hold toward it—an inheritance from the past—be really reasonable.

We have been taught to feel that death is a divine punishment, and even if by reasoning we become able, later, to put from us this baseless belief, there still remains the gloomy attitude of mind transmitted from our ancestors and fixed more firmly upon us during our earlier years by our conscious reception of the delusion. That this belief is false, or at least unsupported by valid evidence, now appears thoroughly established. The old idea that death came into the world through human sin, although still widely cherished, has been long since deprived of all plausibility through the revelations of paleontology. It is established beyond question that ages before the existence of man, death wrought its work

throughout the vegetal and animal kingdoms; and when man appeared upon the earth, he, too, as an animal, became subject to death, the terminal phase of all organic being. It has been argued by Weismann<sup>1</sup> that death is but an adaptation, a habit acquired by all organisms but the very lowest, for the better adjustment of the species to the environment, whereby higher types might evolve and secure continuance. However this may be, there can be no doubt but that, even despite a possible potential immortality of unicellular beings, death has always been a vital factor in organic evolution. Not as a punishment, then, but as an essential element of progress must we regard death and, although it is not usually to our liking, we may dimly recognize it as a good.

Personally we feel, with but few exceptions, that death is our greatest enemy; for whether we will or no, it separates us from those we love, the pleasures we still cherish, the ills to the weight of which we have become adjusted, and seems to thrust us into a gulf of which fancy cannot over-portray the horrors. To save his life, a man will usually sacrifice all other possessions, the lives of other men, and his own honor. Yet this fear of death is but the creation of a certain human mood, for in certain other moods the supposed great enemy becomes a creature to be despised. Bacon says: "There is no passion in the mind of man so weak, but it mates and masters the fear of death; and therefore death is no

<sup>1</sup> Prof. August Weismann, *Ueber die Dauer des Lebens. Ein Vortrag.* Jena, 1882.

such terrible enemy when a man has so many attendants about him that can win the combat of him. Revenge triumphs over death; love slights it; honour aspireth to it; grief flieth to it; fear preoccupateth it; nay, we read, after Otho the emperor had slain himself, pity (which is the tenderest of affections) provoked many to die out of mere compassion to their sovereign, and as the truest sort of followers." <sup>1</sup> Which opinion of death, then, shall we regard as the more reasonable, and the better suited for our guidance in life: that which is held while the mind seems relaxed and empty of purpose, or that which prevails when the mind is tense with some goal of high achievement set before it?

It is often said or implied that the lower animals have a fear of death; and the fact that certain of these have a disposition, upon the approach of their end, to seclude themselves is sometimes spoken of almost as if these creatures had a certain reverence for the mysterious change about to befall. But it is exceedingly improbable that any other animal than man is capable of experiencing a fear of death. It is evident that the lower animals suffer from any considerable disturbance of the harmony of their structure or functions, and therefore fear injury, and are disquieted by disease; but the fear of death as *dissolution* or the final disintegration of being is so complicated a mental process that our knowledge of the lower animals warrants us in supposing it beyond their intelligence. The supposition that the brutes suffer from the fear of death in any such

<sup>1</sup> Essay on Death.

sense as men do is probably merely another illustration of our common deceptive practice,—the reading of our own human motives into the actions of the lower animals.

It is, therefore, wrongly said that there has been implanted within us a certain animal fear of death. This fear is a thing distinctively human; and it is not attained until one has made considerable advance toward his maturity. X Certainly the fear of death does not exist in infancy or early childhood, and the time of its first appearance and the degree of its growth depend largely upon the activity and complexity of an individual's imaginative powers, and upon the character of his early training. And what is true, in this connection, of the individual appears to be true likewise of the whole human species, for a glimpse of any early period of our history shows a prevalent disregard of death which, to us men of the present, seems very remarkable; and if we glance at any of the now-living races which we regard as less evolved than ourselves we find the same principle illustrated.<sup>1</sup>

The late appearance of this instinctive fear in the course of animal evolution might, at first sight, seem an indication of its high worth, but against the acceptance of such a view we have very strong evidence. We are able to account for the existence

<sup>1</sup> It is almost impossible to imagine the readiness with which the Chinese commits suicide. It requires only the merest trifle or a word to induce him to hang or drown himself, these being the two kinds of suicide most in favor.—Chas. Elam, M.D.; *A Physician's Problems*, p. 129. London, 1869.

of this fear through the influence of certain unwarranted propositions of our European theology. For centuries, our Western civilization has been imbued with the doctrine that death is not only the penalty of original sin, but that it is the gate through which the vast majority of the race enter upon an existence of inconceivable and everlasting pain. What wonder that men possessed of such a belief should shrink from death, the harbinger of eternal woe! But the first of these dogmas, as already mentioned, has been overthrown by the evidence derived from paleontology; the second has not a jot of unquestionable evidence upon which to stand. Shall we regard, then, as a worthy guide for our conduct this chimerical product of human imagination? Further evidence against the worth of this fear is given in the fact that we find it in its most intense form not in the men of clear intelligence and stable will but in those who are weak or ill-balanced.

An intense fear of death is unreasonable but, admitting this, we find that in many of us such fear still continues. The explanation is simple: our intelligence has advanced, but our sentiment lingers with the past. In this matter of death, it behooves us to act as reasonable, not as sentimental, beings. The sick man being persuaded that a certain remedy is adapted to his cure does not thereby find it palatable, yet, if reasonable, he swallows the draught. In like manner, a conscientious man would hand an unpalatable dose to a suffering neighbor. It is in this attitude that we should stand toward death as the remedy in the plan here presented.

But may it not be, in spite of all that has been said to minimize the fear of it, that death is really a painful process, that the dissolution of that union of forces which constitutes life is attended by strange pains and terrors which truly form a "death-agony?" There is abundant evidence against this supposition, and this evidence falls into three lines.

1. Our knowledge of physiology certainly does not indicate that the process of actual dissolution is attended by pain, whether of a bodily or mental kind. The moment when actual dying or dissolution really begins, we are never able to determine, but so long as a man breathes and his heart beats, however feeble these two functions, we may feel very sure that the moment in question has not yet arrived. Now, long before the respiration and the circulation of the blood have been so reduced as to permit of the dying process being really imminent, the nutrition of the brain-cells has fallen so low that consciousness, whether as thought or as mere sensation, has become a physiological impossibility. The dissociation of chemical combinations through which the final extinction of life is effected may resemble, in miniature, the rush of the avalanche or the rage of the tornado, but there can be no conscious victim to feel its fury.

2. The testimony of the medical profession, from bedside observation, appears unanimous to the effect that there is no pain in actual dying; and to this may be added corroborative testimony from other persons who have seen much of death in civil life

and on the field of battle. Indeed, in a large number of cases where consciousness remains almost to the end, however great the earlier disquietude and pain, it occurs toward the close that the mind rests for a brief while, calm and content, and then sinks into the last darkness.

3. We have the testimony of persons who have been restored after apparent death, that is, from such a condition that, had not restorative measures been applied, the lost consciousness would not have returned, but would have merged into the insensibility of true death. Many narratives of such experience, often quite minute in their detail, have been placed on record, and we may accept with a considerable degree of confidence the general statement that the latest moments of passing consciousness were pleasant, rather than the reverse.

It would seem, then, that the only element of suffering which a death inflicted according to our plan could bring would be the *apprehension* which some individuals might experience through a contemplation of their approaching end. Yet by far the greater number would surely be exempt even from this form of pain. Young children, idiots, and a large number of the imbeciles have no power of imagination for a painful contemplation of death. To the habitual drunkards, living as they do a half-conscious life, the knowledge that they were appointed to die could have but half the terror which it might inspire in the normal man. Respecting the epileptic, it is plain that many would be included among the classes just mentioned, and the same is

true of a large number of such criminals as would fall under the condemnation of the plan; while another portion of these latter are so callous that neither the supposed pains of death nor the fear of future retribution seem ever able to cause them mental disquietude.<sup>1</sup> To whom, then, would the infliction of death according to our plan cause pain through a sense of apprehension? Practically, to a few criminals alone; and upon a number of these, even now, we inflict a form of death which is far more terrible.

But by what authority do we venture to destroy this wonderful thing, a human life? Our warrant is the example of nature. More and more, thinking men are coming to the conclusion that all our knowledge and all our principles of action are derived, directly or indirectly, from the external world, that all the matter for the construction of our most ethereal thought and deepest feeling has been gotten, primarily, through the senses. It is true that we men of the present have deep-seated and exceedingly complex ideas and feelings which appear intuitive, and doubtless are, in the sense of not having

<sup>1</sup> An executioner told Lombroso that all the highwaymen and murderers went to their deaths joking. — Havelock Ellis, *loc. cit.*, p. 128. London, 1895. Dr. Corre states that of 64 men executed for crime 12 "maintained to the end a cynical and theatrical attitude"; 5 died "with indifference, an impassivity which recalls the insensibility of the brute or the unconsciousness of the madman"; 18 were calm and resigned; 4 were very nervous and loquacious; while 25 were overcome with abject fear. Of 24 women, 1 showed "revolting cynicism"; 18 were "self-possessed and resigned"; and only 5 displayed cowardice.—*Ibid.*, p. 128.

been acquired through our individual experience. But this is not a valid argument against the proposition just stated, for we may well believe that these are innate instincts of intelligence which, like our many complex instincts of muscular co-ordination, have been gradually evolved during the unmeasured ages of ancestral experience, and transmitted, in slowly improving form, from generation to generation. The conviction is everywhere spreading that this is the path along which our race is being led to ever higher ideals, and perhaps to ultimate perfection. External nature is, as it were, a great chronometer, the action of which is absolutely perfect; from nature we take the time whereby to set our little watches, and then upon these we regulate the conduct of our lives. When, from time to time, our calculations lead to confusion, we may sometimes make our problem clear through a comparison of our many human watches; but when this fails, and we feel utterly astray, because none of them inspire full confidence, we must turn again to the great chronometer, as to the sun in a clear heaven, and once more we may adjust our course to the path of true wisdom.

Let us look, then, to nature and see how she appears to regard life. If it be a thing intrinsically sacred she, no doubt, must handle it with full reverence. But such seems not her manner. She makes and unmakes life as if it were a mere accidental phenomenon met on her way to the accomplishment of some higher purpose. She seeks ever a life of a more perfect kind and, in this quest, no individual

life is spared as a revered exception. Says Romanes: "In all species of plants and animals a very much larger number of individuals are born than can possibly survive. Thus, for example, it has been calculated that if the progeny of a single pair of elephants—which are the slowest breeding of animals—were all allowed to reach maturity and propagate, in 750 years there would be living 19,000,000 descendants. Again, in the case of vegetables, if a species of annual plant produces only two seeds a year, if these in successive years were all allowed to reproduce their kind, in twenty years there would be 11,000,000 plants from a single ancestor. Yet we know that nearly all animals and plants produce many more young at a time than in either of these two supposed cases. Indeed, as individuals of many kinds of plants, and not a few kinds of animals, produce every year several thousand young, we may make a rough estimate and say that over organic nature as a whole probably not one in a thousand young are allowed to survive to the age of reproduction. How tremendous, therefore, must be the struggle for existence! It is thought a terrible thing in battle when one-half the whole number of combatants perish. But what are we to think of a battle for life where only one in a thousand survives?"<sup>1</sup>

If nature, then, our essential guide, thus deal with it, we may feel assured that preservation of life is not the highest good toward which the human

<sup>1</sup> G. J. Romanes, *Darwin and After Darwin*, i., 261. Chicago, 1892.

mind may aspire. To this effect speaks the past history of our race. The long-stretched story of ceaseless slaughter causes us to shudder, but we know that this measureless destruction of human life has led, as naught else could, toward the perfecting of man's capacity and character. The deeds of noble men have often shown how small a thing a life should seem as weighed against love for the race and duty. And this principle lies at the root of the teaching, the life, and the death of Jesus. "Think not," said Christ, "that I am come to send peace on earth: I come not to send peace but a sword."<sup>1</sup> How shall we interpret this saying otherwise than as meaning that Christ's call to higher living must inevitably bring much sorrow, and destruction of life? Yet he unflinchingly held to his sublime mission. Let us, then, put from us the foolish idea, which we sometimes so sentimentally hold, that human life is a thing *always* sacred and inviolable. It is but a phase of existence, at the best a temporary possession, and it is mere baseness to hold it despite the broad welfare of humanity. That life should be voluntarily offered for the common weal, and that society should take such life as seems to menace its own existence, have alike an authoritative warrant in the divine method plainly revealed in nature.

<sup>1</sup> St. Matt. x., 34.

## CHAPTER VI

### A CONSIDERATION OF OBJECTIONS

THE remedy now advocated must, I am well aware, meet with much hostile criticism. Of the objections which may be raised, certain ones are readily to be foreseen, and to a consideration of some of these I would now ask the reader's attention.

The first objection which would naturally present itself is that the plan violates the sentiment, now so wide-spread and deeply-rooted in every civilized land, that human life is something sacred,—an entity fashioned after the image of the Creator,—which, except under peculiar circumstances, it is the greatest of all impieties to extinguish. A little honest consideration of this objection will, I think, deprive it of its weight.

The sentiment that human life has a special sanctity is a very youthful one in the history of our morals and, even now, it is rather a form of words upon the lips than a deep well-spring of human action. A glance at the past suffices to show the low esteem once placed upon the individual life. In the barbarous times of cannibalism and slavery, human beings were slain without stint or mercy. At a higher stage of civilization, the hunting of men

and of animals—war and the chase—was an equally legitimate pastime. In Anglo-Saxon times, the value of a human life in England was fixed in terms of money, and homicide was usually punished merely by a fine. “As late as 1820, there were over two hundred crimes punishable with death under English law.”<sup>1</sup> “At common law, stealing property of the value of upwards of twelvepence was grand larceny, the penalty of which, for nearly nine hundred years, was ‘regularly death.’”<sup>2</sup> In England, men, women, and little children were hanged by thousands for offences that would now be punished by a small fine or short imprisonment.<sup>3</sup> A poor old woman was actually hanged for the stealing of one cabbage,<sup>4</sup> and, in 1789, a woman was hanged in Boston for stealing a bonnet.<sup>5</sup> In the early history of every people, infanticide has been extensively practised, and, even in the most highly civilized countries, it has been by no means arrested.

We must bear in mind that the advance in true esteem for human life has not been commensurate with the amelioration of punishment, nor, indeed, with the progress of any other charitable endeavor, for, in all forms of charity, the greater part of effort has for incentive some other motive than pure love for one's neighbor. The belief that charity is an efficient means for the expiation of sin has, through the centuries, induced persons innumerable to labor for the good of others, in the pursuit of blessing for themselves.

<sup>1</sup> Edmund P. Dole, *Talks About Law*, p. 103. Boston, 1887.

<sup>2</sup> *Ibid.*, p. 492.

<sup>4</sup> *Ibid.*, p. 108.

<sup>3</sup> *Ibid.*, p. 103.

<sup>5</sup> *New York Times*, March 1, 1896.

Our present position as to the sacredness of human life is but a recent phase of feeling; and, if recent, our conception of evolution<sup>1</sup> would lead us to believe that it is a sentiment which is not yet to become fixed or absolute, nor of universal application, but to continue through some goodly period a principle to be used tentatively. We very often use good principles to our hurt because we erroneously suppose that all men are prepared for their reception. Certainly, we have worked much mischief through our ideas of liberty and equality. No man is deserving of freedom whose brutish instincts are his master; and no human life is sacred while its chief function is the malignant injury of society. It is a common experience of individuals and of communities that privileges right in themselves are so abused as to compel withdrawal. During the early centuries of Christianity an extreme value was set upon human life, but this, later, was found to be unpractical, and the rigor of the sentiment passed into complete relaxation. According to Lecky, "from an early period there was an opinion diffused through the Church, of which Tertullian and Lactantius were the principal exponents, that a Christian should under no circumstances slay his fellow-men, either by bringing a capital charge, or by acting as a judge, a soldier, or an executioner. When the triumph of Christianity had been attained, it was of course necessary that this rule—which, indeed, had never been generally adopted in its full stringency—should be relaxed as regards laymen, but it still continued

<sup>1</sup> Appendix 17.

in the case of priests.”<sup>1</sup> Later, as is well known, the Church became a ruthless destroyer of human life.

An instance of a wide-spread practice introduced through a growing reverence for life, and then, after prolonged trial, suppressed as injudicious—as hurtful to the true interests of humanity—is given by the history of the *tour d'hospice*<sup>2</sup> in France. “What,” says Lamartine, “is a *tour*? An ingenious device of Christian charity, which has hands to receive, but neither eyes to see nor mouth to reveal.”<sup>3</sup> The illegitimate child, he says, is a guest for us to receive; the human family must enwrap it in its love, for the true family does not bound itself by the arbitrary dictates of the law, but is as wide as all humanity. The *tour d'hospice* or receptacle for illegitimate babes, was legally established in eighty-one departments of France in 1811, five departments however refusing to adopt it. There were thus established two hundred and fifty-nine *tours*; the number of foundlings increased rapidly, and many mothers placed their children in the *tours* hoping that they might regain their children and, at the same time, earn wages by being appointed their nurses. Gradually, it became evident that this charity was open to many abuses; the restrictions upon the use of the *tours* were increased, and the number of them diminished, until in 1876 there remained not one in operation.<sup>4</sup> Foundling-life

<sup>1</sup> Lecky, *Rationalism in Europe*, ii., 33. Amer. edit., 1890.

<sup>2</sup> Appendix 18.

<sup>3</sup> *La grande encyclopédie*, Art., “Enfants trouvés.”

<sup>4</sup> *Dictionnaire du XIX<sup>me</sup> siècle*.

was still held as of value, but it was seen that the regard for it must be restrained by due recognition of interests worthy of greater reverence.

If we inquire as to the depth of root which this sentiment has taken in the general character of modern civilized man, it will appear, I think, that the assumed sanctity of life does not restrain us very much in our dealings with our fellow-men when our passions are aroused, or when deep interests are at stake. It is not the general diffusion of a high sentiment which gives to our lives the degree of protection which we now enjoy, but a fear of the law, and this latter rests upon a common sense of expediency rather than upon an intrinsic reverence for life.

Throughout the greater part of Europe, and in the majority of our own States, the death-penalty is still retained. Whatever the mystery and the sanctity of human life, and whatever the responsibility which we incur in extinguishing it, we do not hesitate to execute the man who has maliciously slain his neighbor. For this we have had not only a sure conviction of expediency but also an unassailable warrant in Scripture. "In a newspaper column of personal interviews representing the opinions of scores of leading preachers there was scarcely a man among them who was not in favor of some form of capital punishment, and not one who was not willing to advise it as a last and effective remedy for murder."<sup>1</sup> In time of war, the captured spy and the deserting soldier are put to

<sup>1</sup> Dr. G. F. Shrady, *Arena*, ii., 516.

death. Said the humane, large-souled Abraham Lincoln: "Long experience has shown that armies cannot be maintained unless desertion shall be punished by the severe penalty of death. The case requires, and the law and the Constitution sanction, this punishment."<sup>1</sup>

But some will say that there is now a wide-spread movement toward the abolition of capital punishment, and this is perhaps true. It is a time for extended, concerted movements of all kinds, but many of these are movements of temporary *retrogression*—mere moments in the great scheme of evolution, the direction of which is soon to be reversed. The people whose views are determined by sentiment alone can never see that what is good for *them*, and *now*, may not be always good, nor for all. It is because they do not or cannot, thoughtfully weigh the two sides of the question that certain of these good people so relentlessly oppose vaccination, properly restricted vivisection, capital punishment, and other institutions approved by the common sense of the community.<sup>2</sup>

If some foreign power insult our national honor, and, still more, if there be added thereto some actual injury, the cry for war becomes loud throughout the land. For a time, perhaps, wiser and more humane citizens oppose the popular desire, but if a war actually ensue, we fit out armies for the slaughter of the enemy and rejoice in our bloody successes. Our recent conflict with Spain awakened among us

<sup>1</sup> *Life of A. Lincoln*, by J. T. Morse, Jr., ii., 192. Boston, 1895.

<sup>2</sup> Appendix 19.

an intensity of the war-spirit and an indifference to the destruction of life which, while quite in accord with the general character of our civilization, seemed to many persons a startling revelation. How little we are shocked by the frequent murders of which we read! Indeed, we have grown so callous to such things that, as has been well remarked, the only taking of life which Americans object to is that which is done by judicial process. If a man kill the thief who has entered his home during the night, this destruction of life is approved not only by the law but by general opinion. If a child be about to be born, and it be clearly foreseen that this must cost the life of the mother, it is the recognized practice of physicians to destroy the life of the child, as the lesser of two evils. This procedure is forbidden by the Roman Catholic Church, but in Protestant countries it has the sanction of the law and the general approval of the community. The doctrine that a man has the right to take his own life meets with very general denial; yet certain suicides of an indirect kind, as where a man, in heroic self-sacrifice, meets death to save the lives of others, or where he accepts death rather than renounce a religious conviction, have long been deemed the highest glory of humanity.

It is not very rare for men and women of resolute character to decree, as it were, the death of those whom they love. Thus, a man is lingering in the last days of an illness regarded as fatal. With no hope of saving life, but with the belief perhaps that dying is made easier by any gain in the body's

nutrition, the physician frets his patient by the frequent proffering of food. The relatives bear for a while this questionable vexing of the sufferer, then come to a resolute decision. "Can this constant feeding avert a fatal end to the malady?" "No." "Does it certainly ease the patient's dying?" "No." "Then let it be discontinued, for we prefer that he shall die in peace to-day, rather than live in misery for ten days longer." To some persons, such assumptions of authority in decreeing death may seem very rash and high-handed, yet there are not a few men and women bold enough to assume this responsibility.

With what perfect indifference we sanction the most dangerous trades, and desperate risking of life for a slight increase of wages! The remark being made to an English writer on railways that in England the latter are managed with more regard for the lives and limbs of the employees than in the United States, he replied: "Yes, that seems to be shown by statistics, but we in England pay too high a price for the lives thus saved." When questioned as to the exact meaning of his unfeeling reply, he explained—with regret apparently—that in England such expensive devices are required for the protection of railway employees that a higher value is placed upon their lives than upon the lives of any other workmen.<sup>1</sup> The destruction wrought among railway employees is appalling. Thus in June, 1890, there were employed in the handling of trains—engineers, firemen, conductors, and other trainmen

<sup>1</sup> H. C. Adams, *Forum*, xiii., 500.

—153,235 men; and among these, there were 1459 deaths and 13,172 injuries from railway accidents. According to these statistics, the rate is one death for every 105 and one injury for every 12 men employed. No other employment, it would appear, is so dangerous—not even mining. The peril of the railway employee is said to be about as great as that of the soldier in war.<sup>1</sup> The statement has been made that in the construction of the Panama Railway every tie has cost a human life.

Through the examples just given, it is plain that the sentiment as to the sacredness of life has but little restraining influence upon our conduct. We may distinguish two phases of feeling,—a positive and a negative disregard of life's sanctity. The positive phase is manifested when a man takes the life of another for his own selfish advantage; the other phase, when one man's life is lost because another is too indifferent to pay the cost of its saving. There can be no question but that the negative attitude is the more common and, as this seems a far less heinous form, we might feel disposed toward the comforting thought that, after all, the current disregard of the value of life is, essentially, mere thoughtlessness. But we must remember that the negative phase is not only very advantageous to self-interest but very safe, for, as a rule, neither the law nor public opinion can touch it; whereas the positive act—the violent extinction of another man's life—is exceedingly dangerous, through the victim's possible resistance, the penalty of the law, and

<sup>1</sup> H. C. Adams, *loc. cit.*

society's gravest censure. Were the dangers which menace the murderer once removed, large numbers of those who now so serenely ignore their neighbors' dying would ruthlessly slay such of their fellows as might possess aught worth the coveting. The supposed sanctity of human life is but one of our many conventional shams: the true character of this sentiment any unusual stress or strain is quite sure to reveal. If we hope to sow this feeling broadcast and to make it truly heartfelt, we must first transform our human nature, and this we can only do by a refining of our inheritance.

It would appear that the feeling as to the sanctity of human life has had a twofold root: it has grown up as a part of a natural sense of justice, and as a principle drawn from our Christian theology. The course of what we may term the purely natural growth of this sentiment is well presented in the summary given by Herbert Spencer: "Maintenance of life is in the earliest stages an entirely private affair, as among brutes; and to the taking of it there is attached scarcely more idea of wrong than among brutes. With growing social aggregation and organization, the taking of life comes to be more and more regarded as a wrong done, first to the family or the clan, and then to the society; and it is punished rather as a sin against society than as a sin against the individual. But eventually, while there is retained the conception of its criminality as a breach of the law needful for social order, there becomes predominant the conception of its criminality as an immeasurable and irremediable wrong done to

the murdered man. This consciousness of the intrinsic guilt of the act, implies a consciousness of the intrinsic claim of the individual to life: the right to life has acquired the leading place in thought."<sup>1</sup> This sanctity ascribed to life is seen to be an earlier phase of a sentiment which is now broadening into a conception of the sacredness of a man's entire person; for, as Spencer remarks, our laws now punish not only such acts of violence as cause slight injuries but, also, intentional pushes or other forcible interferences with another man's body, or even the merely threatening use of the hands without actual contact. But this natural sense of justice has been, all along, really a sense of expediency only, a fear of the penalties which might follow any act of so-called injustice. "The dread of retaliation, the dread of social dislike, the dread of legal punishment, and the dread of divine vengeance, united in various proportions, form a body of feeling which checks the primitive tendency to pursue the objects of desire without regard to the interests of fellow-men. Containing none of the altruistic sentiment of justice, properly so called, this pro-altruistic sentiment of justice serves temporarily to cause respect for one another's claims, and so to make social co-operation possible."<sup>2</sup>

Now let us turn to the theological element. In the old Jewish law stood the command: "Thou shalt not kill"; yet this did not teach an inviolable sanctity of life, inasmuch as not only murder but

<sup>1</sup> Herbert Spencer, *Synthetic Philos.*, "Justice," p. 67. Amer. edit.

<sup>2</sup> *Ibid.*, p. 21.

many other crimes were punishable, according to the Mosaic code, with death.<sup>1</sup> With the advent of Christianity came a fervent belief in a resurrection, and in an eternal life, to be passed in happiness or in woe. Men strove now to fit themselves for this other life, that they might have their share with the blessed; and as altruistic sympathy developed they began to concern themselves with the eternal welfare of their fellows. Now, there are many passages in the New Testament which state or imply that it is a very difficult thing to save one's soul, and the belief has been general that no one can feel quite sure of his inclusion within the number of the elect. With this doctrine in view, the thought would naturally arise upon the taking of a man's life, that probably he was not prepared to appear at the bar of divine judgment, in which case, the murder of his body would induce the eternal perdition of his soul. As the altruistic sense developed further, murder came to appear the most heinous of crimes, since it might injure its victims through all eternity. This idea of the eternal damage which may be done to a soul by the taking of a mortal life is the main factor, I think, in our sentiment to-day as to life's sanctity. And so we imprison men and take from them everything that makes life worth the having

<sup>1</sup> The small estimate placed upon human life as contrasted with the sanctity of the Jewish law was illustrated by the following incident: "While the children of Israel were in the wilderness, they found a man that gathered sticks upon the sabbath day. . . . And all the congregation brought him without the camp, and stoned him with stones, and he died."—Numbers xv., 32-36; *cf.* Exodus xxxi., 14, and xxxv., 2.

rather than take life itself, and in justification we talk of the saving of souls—a matter of which we have no certain knowledge whatever.

Such, then, in a general way, has been the origin of the sentiment which we are discussing. That the sentiment is modifiable to the degree that is due to a mere common-sense conception of expediency no one will doubt. That the other factor of the sentiment—the theological element—should be deemed inviolable is eminently unreasonable, for both the history of the race and the experience of each thoughtful individual have abundantly established the fact of variability in theological opinion. The reverence for life is a noble sentiment divinely evolved, slowly but surely, with the upward progress of humanity; but by its side, divinely evolving too, has been placed the noble faculty of reason, destined to hold in check all sentiments, lest they become inordinate and maudlin—hurtful to the race's highest interests.

Men have always been prone to make for themselves grand principles of infallible guidance, which they have then designated as divine commands, of absolute and universal application. Take for instance the "divine right of kings." Said the great authority, Blackstone: "The king can do no wrong. The law ascribes to the king absolute perfection. . . . The king is not only incapable of doing wrong but even of thinking wrong; he can never mean to do an improper thing; in him is no folly or weakness."<sup>1</sup> It was required by the Church of

<sup>1</sup> E. P. Dole, *loc. cit.*, p. 110. Boston, 1887.

England that men should " ' obey princes, though strangers, wicked, and wrongful, when God for our sins shall place such over us,' unless, indeed, they enjoin anything contrary to the divine command; but even ' in that case we may not in anywise withstand violently or rebel against rulers, or make any insurrection, sedition, or tumults, either by force of arms or otherwise, against the anointed of the Lord or any of his officers, but we must in such case patiently suffer all wrongs.' " <sup>1</sup> Wrote Jeremy Taylor: " Let the powers set over us be what they will, we must suffer it and never right ourselves." Such was the doctrine of passive obedience.

Quite as devoid of a reasonable basis as this now utterly exploded belief were many of the doctrines of the past relative to our eternal salvation. Thus, the idea of antipodes—that there were inhabitants upon the opposite side of the earth—was once an anathematized heresy.<sup>2</sup> The dreadful and eternal injury once, and long, believed to be wrought to a man's soul by a belief in the earth's motion is another instance of a theological fiction sadly hindering the progress of humanity.<sup>3</sup> The sentiment of orthodoxy has always been very timid lest men should stretch their hands to do something beyond their proper lowly province, and ever ready to bring against those who strike out new paths the charge of impiety. There have been times when theological sentiment has imposed a deep gloom upon the people, as in Scotland after the

<sup>1</sup> Quoted by Lecky, *loc. cit.*, p. 121.

<sup>2</sup> *Ibid.*, p. 176.

<sup>3</sup> Appendix 20.

<sup>4</sup> Appendix 21.

Reformation,<sup>1</sup> and if such sentiment be the main obstacle to a wise removal of the defective and vicious, it is now the cause of a gloom still more to be deplored, in forbidding us to disperse the sources of darkness. Innumerable instances of the bitter antagonism of theological sentiment to useful inventions might here be cited, but it will suffice to remind the reader of the opposition made to the introduction of the lightning-rod,<sup>2</sup> to the practice of inoculation,<sup>3</sup> and to the use of chloroform in childbirth.<sup>4</sup>

Strikingly parallel with our sentiment as to human life, and with its resulting evils, is the Hindu reverence for animal life, and the cruelty that accompanies it. In spite of the general reverence for animal life, it was deemed necessary, in 1890, to enact in India a law for the prevention of cruelty to animals—an event which caused considerable surprise in England, where, from the character of their ancient sacred writings, the Hindus are generally supposed to be an exceedingly humane people.<sup>5</sup> “The Hindu worships the cow, and as a rule is reluctant to take the life of any animal except in sacrifice. But that does not preserve the ox, the horse, and the ass from being unmercifully beaten, over-driven, over-laden, under-fed, and worked with sores under the harness; nor does it save them from abandonment to starvation when unfit for work, and to a lingering death which is made a long torture by birds of prey,

<sup>1</sup> Appendix 22.

<sup>2</sup> Appendix 24.

<sup>3</sup> Appendix 23.

<sup>4</sup> Appendix 25.

<sup>5</sup> John L. Kipling, *Man and Beast in India*. London, 1891.

whose beaks, powerless to kill outright, inflict undeserved torment. And the same code which exalts the Brahman and the cow, thrusts the dog, the ass, the buffalo, the pig, and the low-caste man beyond the pale of merciful regard."<sup>1</sup> *We are reluctant* to take the life of a man—unless perhaps as a sacrifice to our passions or our greed; but this does not prevent our over-driving, under-feeding, and otherwise misusing our fellows; nor save them from imbittered lives and lingering deaths through our unkindness.

A "vague reluctance" to take the life of an animal "by a positive sudden act" appears to constitute the whole of the Hindu sentiment; and our own sentiment as to human life has seldom a more vigorous expression. The author just quoted narrates a story to the following effect: An Englishman passing along a highway in India observed, in a grove close by, a horse which had been laid there to die a lingering death, one of its hind-legs having been broken by a kick three days before. The animal, perfectly conscious, was surrounded by crows, which had already picked out both of its eyes and now were in the act of devouring other tender parts. The poor creature tossed its head constantly, but in vain, to drive away his tormentors. The humane Englishman drew a pistol and shot the poor beast. The narrator adds: "There is nothing unusual in this, for it is the fate of all animals that serve the Hindu to be left to die; and although most English people would approve of that

<sup>1</sup> John L. Kipling, *loc. cit.*, p. 3 *et seq.*

pistol-shot it was wrong according to the Hindu canon." The cause of all this suffering, through the centuries, has been a tenacious theological dogma, which to us has no reasonable basis whatever—the doctrine of the transmigration of souls.

The Hindu reverence for animal life has led to the establishment of asylums for diseased and injured creatures, but they receive no medical treatment, and little is done to make them comfortable. "Ritual reverence for life does not include the performance of acts of mercy. It is enough to save the animal from immediate death, and to place food within its reach. So you see there creatures with unset broken limbs, with hoofs eighteen inches long, and monstrous wens. The dogs as I remember them twenty years ago, were a heart-breaking sight, confined with nothing to do but fight, insufficiently fed, and all afflicted with one equal misery of mange."<sup>1</sup> These animal hospitals present something of a resemblance, I think, to certain of the institutions which *we*, through our reverence for human life, have established.

Says a recent well-known writer, speaking of the almshouse in a newly formed American community: "During the first stages of its development, it acts as the charitable catch-all for the community. Idiots, epileptics, incurables, incompetents, the aged, abandoned children, foundlings, women for confinement, and a considerable number of the insane, and the deaf and dumb, are all dumped together into some old farmhouse that has been

<sup>1</sup> John L. Kipling, *loc. cit.*, p. 11.

bought by the authorities and put to this use. The public then goes on its way, and thinks as little about the institution as possible, only grumbling annually at the expenses, perhaps, when it happens to review public accounts. In some populous cities the almshouses are hardly more than enlarged specimens of this same type. The different classes of dependents are still assembled in one great institution, and the public assumes it has discharged its whole duty by giving enough food and fuel to keep the individuals that make up the incongruous mass from hunger and cold.”<sup>1</sup>

But let us view some other results of the inordinate reverence for animal life in India. “One of the most surprising things in the country is the patience with which depredations on the crops are endured. . . . The monkey, the nilghai, the black buck, the wild pig, and the parrakeet fatten at his [the farmer’s] expense, and never kill a caterpillar or a weevil in return. He and his family spend long and dismal hours on a platform of sticks raised a few feet above the crops, whence they lift their voices against legions of thieves. The principle of abstaining from slaughter is pushed to an almost suicidal point in purely Hindu regions, and becomes a serious trouble at times. A large tract of fertile country in the North-west Provinces, bordering on the Bhurtpore State, is now lapsing into jungle on account of the inroads of the nilghai and the wild pig. . . . Gardeners try to scare the

<sup>1</sup> Prof. A. G. Warner, *American Charities*, p. 141. New York, 1894.

birds with elaborate arrangements of string, bamboos, old pans, and stones in their fruit trees; and sometimes a watcher sits like a spider at the centre of an arrangement of cords, radiating all over the field, so that an alarming movement may be produced at any point. Yet their tempers do not give way, and they preserve a monumental patience."<sup>1</sup>

If we imagine ourselves in the place of these Hindus, and substitute for the predatory animals which martyrize them the criminals that harass us, the pictures just presented will serve equally well. Is there anything more surprising in our country than the patience with which depredations upon our property and our every right are endured? Not only professed criminals but innumerable officers of the state fatten at our expense, and give us little return other than mischief. The methods of the Hindu gardeners remind us of our own attempts at the repression of criminals. We set our policemen and detectives on the watch, stretch radiating wires of electric communication all over the land, and make a great deal of noise to scare away our human harpies, but although a few of them are caught, and some of these punished, time shows no lessening but rather an increase in the degree and extent of their depredations. Yet *our* "tempers do not give way"; we "preserve a monumental patience."

In spite of the enormous destruction of human life by snakes in India, no Hindu will willingly kill a cobra, the deadliest of all serpents. In honor of the cobra, periodical festivals are held; its haunts

<sup>1</sup> J. L. Kipling, *loc. cit.*, p. 13 *et seq.*

are decked with garlands of flowers, milk and eggs being set where the creature will readily find them. If a cobra be accidentally killed, a piece of copper money is placed in its mouth, the body is burned, and offerings are made, for the averting of dreaded evils. If a human being be killed by a cobra and the latter be caught, it is carried with reverence to the jungle and there set free. A similar custom prevails among the Buddhists of Ceylon. This folly among the Hindus has some basis of reason, inasmuch as they believe the cobras to be spirits of departed men which may be coaxed by kindness and worship from the working of mischief. We often act toward our murderers much as the Hindus do toward their cobras. After the condemnation of "Bat" Shea, a brutal murderer, more than 25,000 persons signed a petition to the Governor for his pardon. After his execution, the body was followed to the grave by 3000 persons, and \$600 were spent in floral offerings.<sup>1</sup> When caught, many of our murderers, through legal quibbles, escape conviction; but if convicted, a goodly number are then pardoned by our governors. Such manifestations of sympathy with murderers and other criminals, now so common among us, have not the element of reason which underlies the corresponding acts of the Hindus relative to their deadly serpents, but are a display of maudlin sentiment or of criminal affinities.

Among other curious customs of the ancient

<sup>1</sup> Dr. A. D. White, Report of address before Patria Club, New York *Times*, April 11, 1896.

Egyptians,—whose reverence for animal life was a national worship,—Herodotus mentions the following: “When a conflagration takes place, a supernatural impulse seizes on the cats; for the Egyptians, standing at a distance, take care of the cats, and neglect to put out the fire; but the cats, making their escape, and leaping over the men, throw themselves into the fire; and when this happens, great lamentations are made among the Egyptians.”<sup>1</sup> Very similar are the procedures of our sentimental philanthropists and the ensuing result. Instead of directing their best energies toward the extinguishing of the causes of crime, they tend to think only of the rescue of individual criminals, who, in most cases, soon escape from their care, and leap back into the furnace of iniquity.

“There are admirable points in the ritual respect for life, but it is not true humanity, nor is it practised with sufficient intelligence or feeling to profit the animal.”<sup>2</sup> This conclusion, drawn from a survey of the practical working of the Hindu reverence for the life of animals, is applicable to the feeling respecting the sanctity of human life as we find it throughout Christendom.

Some years ago, I was invited by a philanthropic gentleman to visit the penal institutions of which he was one of the board of managers, in a State which had abolished capital punishment. As we walked through these institutions, my guide had much to

<sup>1</sup> Herodotus, ii., 66. Engl. transl. by Henry Cary, p. 120. New York, 1870.

<sup>2</sup> J. L. Kipling, *loc. cit.*, p. 11.


say of this advance in humanity. When I ventured to argue that life-long imprisonment might be a far more cruel punishment than death, his reply was, in effect, that the former is more humane because less brutalizing to the community and more effective in deterring other persons from murder; and he added that, after all, the *suffering* of these life-long prisoners is not usually for so long a time as might be supposed, since, sooner or later, as a rule, their reason gives way, and then they become unconscious of the cruelty of their existence.<sup>1</sup> As a kind of *chef-d'œuvre* among the products of the institution, I was shown a woman well advanced in life who, while still in her early youth and in the first bloom of married life, had murdered her husband. She sat in her solitary cell, her eyes seldom or never lifted from her knitting, uttering no word in response to questions, and during long years hopelessly imbecile. In viewing such a victim of human mercy, one naturally asks one's self: Is this poor wretch still working out her eternal salvation? Her intelligence is long since gone, but are the physical *ennui* and discomfort which, these many years, she automatically endures accomplishing some mysterious change in her soul which shall be to her advantage in the life of the hereafter?

Says Wilberforce, "To shorten a human life is to put in jeopardy a human soul."<sup>2</sup> Is this true, or is it an unwarranted assumption? Let us take

<sup>1</sup> Of the life-convicts in the State of New York, seventeen per cent. are in the insane asylum at Matteawan.—Dr. Allison.

<sup>2</sup> Quoted by A. J. Palm, *The Death Penalty*. New York, 1891.

the case of habitual drunkards. Usually, for years before their death, they live as it were in an unreal world. The structural changes which alcohol has induced in their brains render more and more impossible any clear, sharply defined consciousness, and gradually they become imbecile. The sense-impressions become unreliable, the intelligence is blurred, the moral sense is blunted, the self-control is weakened, the *man* within the human frame is being corroded out by the poison which has absolute possession. In the case of these hopeless wrecks, is the soul thrown into greater jeopardy by a sudden than by a gradual death of the body? At a certain stage, reform becomes impossible: can the still-darkening life, after that time, avail anything for the soul's future welfare? It may be replied that we can never tell, that even in extremest cases reform may be possible and a man's soul be saved, "as a brand plucked from the burning." But in these days we can no longer afford to allow in our social polity for an expectation of the quasi-miraculous, and I believe that, as a rule, there is no mercy in the prolongation of such a man's suffering. That this saying of Wilberforce's should hold true in the case of the idiot, the low-grade imbecile, and the incurable lunatic, appears still more incredible; and, when we reflect upon the evils to which this doctrine may lead, we must regard it, I think, as cruel. A striking instance of the prolonged cruelty to which we condemn human lives in preference to extinguishing them has recently been brought to public notice. Twenty-two years ago, a negro boy, *aged nine*,



" was convicted of arson and sentenced to prison for life. He was leased to coal miners in Northwest Georgia and put to work. For eighteen years his entire life was spent underground, and he never so much as saw a ray of sunshine. Last week the Governor pardoned him, and he was brought here to-day, a pitiable sight. He speaks the jargon of the convicts in the coal mines. He tells horrible stories of the treatment accorded him and his fellow-workmen by the lessees."<sup>1</sup> The poor boy would have met a happier fate at the hands of cannibals.

If, after all, the general sentiment of the community be opposed to the remedy here advocated, this is not a strong argument against its expediency and righteousness. The validity of a doctrine is by no means commensurate with the number of its adherents. The masses of the people have little part in the moulding of their sentiments. The dominant factor is the dogmatism of self-assertive teachers.

The first objection which we have considered is that the plan proposed is incompatible with the general sentiment as to the sanctity of human life, and therefore impossible of acceptance. A summary of my reply is as follows. This antagonistic sentiment is not, as it should be, a deep-seated principle making itself felt everywhere in our bearing toward one another, but is little more than a form of words which has but an infinitesimal influence upon our lives. That this is so, appears from the history of the past, and from such facts as that we

<sup>1</sup> New York Times, Oct. 2, 1897.

now, by judicial procedure, take the lives of certain criminals; that, during war, we glory in the slaughter of our enemies; that we shoot, when we can, the burglars who break into our houses at night; that we take the life of a child at birth to save the life of its mother, which presumably has a greater value; that we approve certain indirect forms of suicide, as in the case of those who give their lives rather than renounce a religious conviction, or as a sacrifice for their fellow-men, and extol them as the climax of human achievement; that there are persons who, rather than permit the prolongation of a life of suffering, occasionally decline for those whom they love the assistance of medicine and surgery; and that the existence of murderous trades is sanctioned by us with serene indifference.

Then, I hope to have shown that the sentiment in question has arisen as a twofold growth. One root has been expediency, and to the degree that the sentiment has derived its strength from this root, there can be no objection to modifying it according to a new view of expediency, if the latter be well supported by reason. The other root has been theological dogma. Religion has done much to benefit men; but theology has done much to retard the advance of true religion, to check the progress of science, to lessen human comfort, and to foment the most destructive discord and the most cruel wars. If, then, in the light of reason, a dogma appear to retard the progress of the world, it is surely allowable to assume that the authority imputed to it may be an error; to set it aside, at least provisionally,

and to trust for our guidance to the faculty of human reason illumined by experience.

A comparison of our reverence for human life with the reverence of the Hindus for the life of the lower animals brings the evil results of the former into still clearer relief. "Theories, creeds, and laws, and their application to events of life, are only human conceptions of truth. When human conduct, thought, and law, fail to adapt themselves to new truths and new conceptions of life, great injury and loss follow."<sup>1</sup>

There is another phase of this same objection which we must consider. It will be said by some that apart from any sacredness which life may have derived through our sense of expediency or our theology, there is a sanctity based upon "natural right." The idea of people in general as to the real nature of a "right" is exceedingly ill-defined. By some it appears to be held that every desire is accompanied by a "right" to its gratification; and there are many other lengths equally remarkable to which the idea of "rights" is carried. Thus, a highly esteemed writer says, in speaking of the imprisonment of incorrigible criminals: "Having secured this seclusion, our *right* to interfere with their personal freedom ends, except in so far as may be essential for the preservation of order and obedience to lawful regulations in the prison. It is not *absolutely certain* that we have a *natural right* to compel them to labor." And again, in referring to the proposal that "habitual, hardened offenders"

<sup>1</sup> Dr. T. D. Crothers.

should be dealt with by perpetual isolation or by "an obvious surgical operation," he says: "This is a point at which great consideration must be shown for the individual *rights* not only of the convict, but of his possible posterity." (*Italics the author's.*)

Herbert Spencer thus speaks of the tendency toward fanciful conceptions of rights: "In past times rivers of blood were shed in maintaining the 'right' of this or that person to a throne. In the days of the old Poor Law the claims of the pauper were habitually urged on the ground that he had a 'right' to a maintenance out of the soil. Not many years since we were made familiar with the idea, then current among French working-men, that they had a 'right' to labor; that is, a right to have labor provided for them. . . . And so lax is the application of the word that those who pander to the public appetite for gossip about notable personages, defend themselves by saying that 'the public has a right to know.'"<sup>1</sup>

Says Bentham: "We cannot reason with fanatics armed with a natural right, which each one understands as he pleases, applies as it suits him, of which he will yield nothing, withdraw nothing, which is inflexible, at the same time that it is unintelligible, which is consecrated in his eyes like a dogma, and which he cannot discard without a cry. Instead of examining laws by their results, instead of judging them to be good or bad, they consider them with regard to their relation to this so-called natural right. That is to say they substitute for the reason

<sup>1</sup> Herbert Spencer, *Synth. Philos. Justice*, p. 62. Amer. edit.

of experience all the chimeras of their own imagination." <sup>1</sup>

This setting up of a man's mere whims as natural rights is so great an absurdity that, by reaction, many have come to hold that there are no rights but "legal rights," none but such as are conferred by the State and supported by its supreme power. The reasonable compromise between these two views appears to be that such privileges or advantages of the individual as have been found, through the experience of the ages, to be expedient for society at large have been incorporated in the law, or have received the full sanction of public opinion, and this for so long a time that the minds of our ancestors have become thoroughly adjusted to them, and there has been transmitted to us, accordingly, a tendency to such ready acquiescence that we regard them as in the nature of things perfectly just, and speak of them therefore as "natural" rights. But, on the other hand, there are certain privileges and advantages the expediency of which has not been in the past, and is not now, generally agreed upon; respecting which, therefore, we have not the same feeling, and these, even if embodied in the laws or approved by some considerable portion of public opinion, we cannot regard as resting upon natural rights. And still less can we accept as "natural rights" the fancies put forward as such, from time to time, with no further sanction than the

<sup>1</sup> Quoted by Lord Russell, Lord Chief-Justice of England, in address before American Bar Assoc., Aug. 20, 1896. From report in *New York Evening Post*.

moral sense of the small groups of individuals from which they emanate. In other words, a "right" has no existence except in the human mind; it is a mere phase of human consciousness, the absolute value of which we cannot determine, and it can be binding only upon such minds as recognize its authority: it is absurd, therefore, to characterize as "natural rights" certain sentiments held by a small minority, when the great mass of mankind refuse them recognition. Whether he be good or bad, a man has a "natural right" to live, say certain sentimental people; and, upon the same principle, the ferocious beast of prey has the same right to live as its gentle victim, and the noxious weed as the beneficent cereal—but by whom are these latter "rights" heeded?

Says a well-known writer on jurisprudence, speaking of a "right" in the wide sense: "It is one man's capacity of influencing the acts of another, by means, not of his own strength, but of the opinion or the force of society. . . . 'A right' is thus the name given to the advantage a man has when he is so circumstanced that a general feeling of approval, or at least of acquiescence, results when he does or abstains from doing certain acts, and when other people act or forbear to act in accordance with his wishes; while a general feeling of disapproval results when any one prevents him from so doing or abstaining at his pleasure, or refuses to act in accordance with his wishes."<sup>1</sup> By the only natural

<sup>1</sup> Thos. Erskine Holland, *The Elements of Jurisprudence*, p. 61. 2d edit., Oxford, 1882.

right which we can recognize as such, then,—by the right which public opinion approves,—a man lives, but he may forfeit this right, and the plan now advocated would be merely an extension of the category of conditions under which the right to live may be forfeited.

Let us turn to another objection. It may seem to some that the plan would have a brutalizing influence, through which there would gradually disappear that tenderness of sympathy which is the loveliest flower of our human life. But is this really probable? We must remember that, in its influence upon character, the deed in itself is nothing; the spirit which induces it, everything. The sanctity of the Jewish sabbath was such that, according to the Mosaic code, "whosoever doeth work therein shall be put to death"<sup>1</sup>; yet, said Jesus, "the priests in the temple profane the sabbath, and are blameless."<sup>2</sup> "The heart giveth grace to every art," says Longfellow. Had Abraham accomplished the sacrifice of his son Isaac, would he have been thereby imbruted? If human life be taken for selfish ends, there is, doubtless, no deed more debasing to the slayer; but it may be taken with a noble aim, and then, instead of moral stain, there is spiritual exaltation. In a surgeon's experience it may happen that he kills the man whom he would cure. In many cases he enters upon an operation with but a faint hope of saving life, it seeming almost a moral certainty that death will ensue. Indeed, during almost every operation the surgeon bears with him

<sup>1</sup> Exodus xxxv., 2.

<sup>2</sup> St. Matt. xii., 5.

the consciousness that by his hand the patient's death may be wrought. But is the surgeon generally esteemed a brutalized man? Does not his experience in the infliction of pain and the taking of life rather give him a tenderness of heart unusual among men? When, after a bloody campaign, soldiers disband and return to their homes, have we reason to believe that they are less self-sacrificing toward their children, less tender toward their wives? When life is taken under the sanction of law and public opinion, and with the consciousness of a noble purpose, the act may work much harm but that it should brutalize is a result impossible.

But, some will urge, this process of eliminating from the world a large number of individuals adjudged by society to be altogether too undesirable for toleration might, and assuredly would, go too far: to such a degree, indeed, that not only would society, as a whole, have exterminated ruthlessly the greater part of the race as falling short of an almost unattainable standard, but every man would hold in his hand, upon the ground of physical or moral imperfection, a sufficient warrant for the destruction of his neighbor. It might happen that there would be at first some increase in the number of individuals undertaking upon their own authority the extinction of lives which they did not approve, but such action would not have the sanction of law, and the wilful taking of life as a private act would still be punishable as murder. If it were supposed for a while, especially among the ignorant, that the sentiment of reverence for human life had been so

greatly lowered that homicide might be looked upon with comparative indifference, the rapid increase in the number of condemnations for murder would be convincing evidence of the error, and quickly restore the social equilibrium. It would be soon thoroughly appreciated that, whatever the change of attitude toward the sanctity of life adopted by the judiciary, the infliction of death for private ends was proscribed with even more than its old-time rigor. If the movements of men were precisely like the motions of inanimate things, the objection now considered would have great force; but as the case stands we should have here little ground for apprehension. The most striking feature of a living organism is the marvellous balancing of forces within it, whereby it exists. If we tilt an inanimate object until its centre of gravity lies beyond its base of support, the body topples and falls; but if we do this with a living creature, it will usually readjust the position of its centre of gravity and recover its equilibrium. If a ball begin to roll down hill, unless checked by some extraneous force, it must roll to the bottom; but not so with a man, for, whether his descent be physical or moral, he may often arrest his fall and direct his motion upward. This capacity for readjustment, for self-regulation, is found to some degree in every man and in every society; and this capacity as we find it in the moral realm we must regard as man's highest and most distinctive glory.

That the application of the plan proposed would be at times unwise is probable, but this would be

true for any plan however good, and we may confidently believe that the conscience and common sense of the community would limit the duration of dangerous indiscretion. We may reason here from our experience with innumerable practices which were all once novelties. Thus the manufacture of poisonous drugs places about us a danger of which we are constantly reminded by the deaths through their careless or malicious administration. So, too gunpowder and dynamite, the printing-press, and the political privileges of our free republic are utilized by evil men to the great hurt of humanity. But, as yet, the civilization of the nineteenth century has not been wrecked, because of the self-regulative capacity of society. Even the terrors of the French Revolution were self-curative. The adoption of some such plan as that described would, indeed, be merely another illustration of society's tendency toward resolute self-regulation.

The difficulty may be raised that the plan proposes to affect only a portion of those whose lives it might well profit society to extinguish, and that it is even unjust, inasmuch as it would hurry out of life certain individuals while ignoring the existence of countless others equally noxious to the public weal. In theory it might be better, perhaps, if the plan were to bear not only upon our public asylums and prisons but upon every household throughout the land. Doubtless, under such conditions, the purification of the race might advance with astounding rapidity, and our conception of justice, in this matter, have an ideal sway; but the application of a

plan thus broad would be a thing so impracticable that it could have no beginning. All wise legislation has a care for expediency, and the present plan aims not at the theoretical best, but at the best which is practicable, with least resistance from the people. Of the individuals whom the welfare of society cannot endure, the vicious ones who have been adjudged worthy of rigorous penalties and the weaklings who have been cast upon the care of the State as foster-mother are those whom we can dispose of with the least social friction, and whatever the proportions to which the plan might attain in the future, this is the place in our social fabric for an expedient beginning.

It may be said that the plan would be met with such opposition from the masses of the people as would be fatal to its adoption, for it strikes directly at the abnormally weak offspring of the very poor, a very large class in every civilized community, and one to which the members of the large class occupying the social stratum just above recognize that they may, at any moment, be reduced. These people may feel, or argue, that there is great injustice in taking the lives of the defective children whom, through extreme poverty, they have resigned to the care of the State, while the equally defective offspring of the rich are spared and fostered in luxurious homes. Here, no doubt, would be another useful grievance for the demagogue. The difficulty would not be a reasonable one; yet it might arise, and then we should find it necessary to convince the people, as we might honestly strive to do, that the

aim of the plan is to accomplish a great good for all, whereby disease and poverty shall be gradually lessened, and a spirit of harmonious co-operation be infused through all the classes; that such a plan cannot be permitted to encroach upon the privacy of any home however lowly; that it would bear, therefore, only upon such as have come wholly under the guardianship of the State; and that in reality, through their parents' necessity, the defective children of the very poor would fare more happily, in their early release from life's sorrows, than the unrelinquished defective children of the rich. An enlightenment of the masses is always a difficult process, but if the plan be essentially good, the objection now contemplated is not valid.

Some persons may object that the difficulty in drawing the line between cases suitable for removal by death and those unsuitable would be insurmountable, and would make the plan practically impossible. But such an objection could rest only upon ignorance as to our present position in point of knowledge. The general notion in regard to the "defective" and the delinquent seems to be that their mental status and their moral responsibility, their useful purpose in the world as they now are and the possibility of their reformation, are all such hazy questions that we had better not venture upon any course of action at all sweeping, but rather, for the present, keep to the old lines, with occasional modification to suit the moment. It is true that in many cases it would be difficult to decide for or against condemnation; but there would be

individuals innumerable whom, without the slightest hesitation, we could adjudge proper subjects for the application of the plan. In the case of idiots and of many imbeciles, epileptics, habitual drunkards, and criminals we can predict so surely a life of wretchedness for the individual and of injury to the public weal that, authority being granted, we might at once, with a clear conscience, decree their extinction. A flood of light has been thrown, in these recent years, upon such dark questions, and we are now in a position to meet them intelligently and with resolution.

Again, it may be urged that the presence of the defective and delinquent should be regarded as a discipline laid upon us for the development of the best elements of our character, and that were they removed the virtues of patience and self-sacrifice would suffer a sad eclipse throughout society. But can it be supposed that, if the earth were once cleansed of these most pitiable beings, we should no longer have opportunity for sympathy, mutual help, and self-devotion? Would not these virtues rather find a clearer, a more legitimate field? Would they not appear more frequently and in greater energy, when every recipient of a kindness was appreciative and worthy? Then, if it be true that the presence of helpless and vicious creatures is good for us, why should we try so hard as we do, even by our present methods, to reduce the production of them? And although it be a good thing for *us* to help these unfortunates, would it not be a better thing for *them* to prevent or shorten their existence?

This objection is another manifestation of the old habit of mind through which men seek to comfort themselves under the ills from which they can find no way of escape. When an evil befalls, we try to put it from us; if we cannot do this, we are fain to find solace in the explanation that it has been divinely sent and will ultimately redound to our good. This is sometimes a wholesome attitude of mind, but oftener it does us much harm, causing us to lie still and suffer when, by exercise of our intelligence, we might cast from us the evil so patiently but needlessly endured. Surely, then, upon the ground just considered, the doing away of this great evil—the presence of the defective and delinquent—cannot be an intrinsic wrong.

It may be objected that the remedy now proposed has already, to a degree, had its trial; that, despite their ruthless destruction of feeble infant-life, the civilizations of antiquity degenerated and perished, and that we cannot reasonably hope to be saved by a plan which did not save them. To weigh this objection, we must consider the manner in which this ancient custom was carried out, the fact that other customs directly combated its influence for good,<sup>1</sup> and the essential points of difference presented by the plan now in question.

The purpose of the ancient practice appears to have been a twofold one: the destruction of infants who were very weak or deformed, and of those who were otherwise deemed by their parents undesirable burdens. The custom arose, doubtless, through the

<sup>1</sup> Appendix 26.

difficulty which primitive men found in obtaining subsistence, it being incumbent upon them thereby to decline the burden of any child who did not give promise of an ability, at the proper age, to sustain itself. As the prosperity of any primitive tribe increased, the absolute necessity for this destruction of unpromising infant-life naturally diminished, and it seems probable that the animal love of offspring gradually introduced more and more irregularity into the enactment of the custom, as the original necessity declined. Under such conditions, whatever advantage a tribe had derived from this custom must have been gradually lost. It should be remembered that the scope of the custom, in accordance with the knowledge of the people, was always very narrow: infants who were very weak in *body* were destroyed, but those of a mental cast very pernicious to the best interests of the community were frequently cherished. Sooner or later, no doubt, these latter, too, were often recognized and put out of existence, but in many cases not until they had done much mischief and propagated their kind.

This ancient and wide-spread custom, then, has been of very limited scope; we have reason to believe that in the days of a nation's prosperity it was not applied in its pristine rigor; and it has rested upon a basis of cold selfishness. The measure now advocated is of far wider reach than its ancient prototype, and has for its inspiring motive a sense of pity for those few lives to be painlessly extinguished as well as regard for the many to be thereby benefited—a true and far-sighted philanthropy. Shall

we argue that, because a blindly devised custom fell into desuetude and failed to save the civilizations of the past, an intelligent adaptation of the good which was in it to modern needs would likewise accomplish little? That would be to say that the rule-of-thumb methods of our forefathers were as efficient as the methods of scientific precision in use to-day. It is clear that the old method was brutal and inadequate; but to conclude therefrom that the plan now proposed is unworthy of trial is surely not reasonable.

In like manner, the inefficiency of judicial severity during past centuries argues nothing against the plan here proposed, for, although criminals were swept from the earth in vast numbers, the supply was constantly renewed, and continued without apparent diminution, generation after generation, because of the tolerance accorded to imbeciles, drunkards, and persons otherwise "defective," by whom countless criminals were begotten.

There is an objection which, so far at least as our own republic is concerned, seems to me the strongest of all. The adoption of this plan would throw a great increase of power into the hands of those who represent the State, and there would be great risk that the men charged with the administration of it, however intelligent and honorable at first, might become the corrupt tool of some political ring. We can readily imagine that bribery and not high regard for the public weal would, in such a case, soon control the working of the plan, and the "defective" or criminal worthy of death might usually escape through the timely offer of a pecuniary ransom.

The objection is a very grave one, but its force is a dishonor to our people rather than an intrinsic defect in the plan. If we, as a nation, approve a measure but dare not entrust its administration to the officials whom we select to execute our will, then are we, indeed, far gone on the downward path of degeneracy.

Many other plausible objections may be raised, no doubt, as in the case of every great undertaking, and it may be said, finally, that the practical difficulties, when we should come to the details of actual application, would make the realization of the plan utterly impossible. We should remember, however, that, as Dr. Johnson observed, "so many objections might be made to everything, that nothing could overcome them but the necessity of doing something," and that objections often disappear marvelously when a plan has been set in motion. "In law, as in morals, 'that can be done which ought to be done.'"

## CHAPTER VII

### CONCLUSION

WE have now seen that our condition is very unsatisfactory; that we have reason to question whether we are truly progressing, and even ground for alarm as to the future of our civilization. Weakness and vice are everywhere about us, crime is outrageously rampant, and the repressive measures which society has devised have proved themselves inadequate for its protection. The fundamental cause of our evils is our weak and depraved inheritance. To improve our condition, make true progress possible, and render the lives of our posterity less miserable than our own, we must renounce completely certain burdens which we have hitherto borne so meekly, and must check the breeding of such human strains as are weak and vicious. But in the way of such a reasonable reform, there lies a mighty obstacle,—the exaggerated value set upon human life. If the great goal is to be reached, our path must be made straight; we must dig about this rock of offence and show that it is not an outcrop of the very foundation of our morals but a mere deposit of *immature* sentiment, then upheave and cast it aside, that it may no longer obstruct the difficult course

of man's upward progress. True pity and far-sighted philanthropy alike incite us to such action.

But what actual profit may we reasonably expect from the proposed remedy? The plan really strikes at the root of all our evils, and, in spite of its present crudity and the practical difficulties involved in its application, it is not unreasonable to believe that it might, in the course of many generations, be so matured as to eradicate from the earth nearly all human evil. Crop after crop of useless, burdensome, unhappy, and malevolent lives would need to be mown, but the sad harvests would gradually grow lighter, until finally the method would cease to be used, because *all* human life, through its intrinsic worth, would appear precious and sacred. This desirable end could be attained only in the very distant future; let us, therefore, confine our attention to the benefits likely to be conferred upon the men of the present and upon our immediate posterity.

Through the great reduction in the number of idiots, imbeciles, epileptics, habitual drunkards, and incorrigible criminals, there would result, even in our own times, a tremendous reduction in the amount of crime, for not only would large numbers of those who perpetrate grave misdeeds have disappeared, but likewise of those who beget criminals. There would result hereby an enormous saving of material wealth, for the destruction of the products of human labor through crime is beyond calculation. The wealth which is at present absorbed in the support of "defectives" and in the arrest, convicting, and holding of criminals, in asylums and hospitals,

in police force and militia, in courts, reformatories, and prisons, would be gradually set free to assist positively the advance of the race; through the increasing sense of security, large funds now lying fallow would be brought into use, to the furthering of enterprises innumerable; and, with the new assurance of return for every effort, there would gradually appear among us a spirit of zeal and a marvellous output of energy.

With the gradual disappearance of crime—that greatest blight upon human enterprise and comfort—and of the incompetence dependent upon physical and mental weakness, there would come a reign of happiness, an expansion of human life, such as the world has never known. The increase of each man's confidence in his fellows would tend to awaken a generous sympathy, and a spirit of altruism would gradually become the dominant factor in the regulation of the affairs of men. I believe that, were such plans carried out as those here suggested, there would be seen within the generations of a near future the dawn of this devoutly desired consummation. If such benefits were wrought for the men of our own time or their immediate successors, words would fail to describe the blessing to be conferred upon our remote posterity. Men would inherit sound minds and sound bodies; they would live long, healthy, and happy lives, and leave this world only through the physiological processes of kindly old age, with as little consciousness of pain at death as at birth; and, throughout life, all would work together in harmony and enjoyment, to draw from the earth

increased means of comfort, and to obtain an ever-increasing comprehension of the processes of nature. Poverty, disease, moral degradation, and crime would be eliminated from the earth, and the conceptions of our most optimistic dreams would be surpassed by the glories of reality.

It may be said that, even under the most favorable conditions, an appreciable advance of our race must ever be a matter of weary ages, because such has been the record of the past. But the past was comparatively without science. Our innumerable experiments in artificial selection among the lower animals, and the extraordinary endowments which occasionally appear among men who are the offspring of exceptionally favorable unions, would indicate that a marvellous uplifting of the human race might be speedily effected, were we able to regulate wisely the matter of parentage. Says Galton: "Each generation has enormous power over the natural gifts of those that follow. . . . It is a duty we owe to humanity to investigate the range of that power, and to exercise it in a way that, without being unwise toward ourselves, shall be most advantageous to future inhabitants of the earth."<sup>1</sup> Here lies a field which promises rich fruits to earnest inquiry, in the course of which a modicum of intelligence would have far more worth than a flood of sentiment. Not to that tenderness of heart which seeks no farther than the binding of immediate wounds and the lifting of those just fallen, may we look for the race's earthly salvation, but to that

<sup>1</sup> Francis Galton, *Hereditary Genius*, p. 1. London, 1892.

spirit of deep and highly intelligent sympathy which would extinguish the *causes* of our degradation and our tears. In the day when our altruism has become duly enlightened, it may well appear that there is no nobler, no tenderer, charity than the methodic but gentle extinction of the very weak and the very vicious.

When attention is called to the magnitude of our present evils, it is a common reply that the world is not so bad a place after all, and evidence is adduced to show that our manners are growing less rude and that our general comfort is constantly increasing. But, had we all-seeing eyes, in the very moment that these cheering words are spoken, we should observe innumerable breaking human hearts, ubiquitous discord and strife, and here and there a ruthless murder. Contentment with the present status of the world is possible only during the occasional relaxation of fate's stern grip; it is usually short-lived, and our optimistic platitudes are soon, and abruptly, silenced by some fresh wound at the hand of relentless destiny. It is to such of my readers as have had to endure more than the average share of life's evils, to those who have fallen victims in unusual degree to human incompetence or malevolence, and to those who, in a measure, make the sorrow of the world their own, that I appeal for an earnest consideration of the remedy which I advocate.

It is my hope that this plea may induce many persons to speak out boldly for our deliverance from a bondage under which civilized society now groans—bondage to an altruistic doctrine which, while at

first sight beautiful to look upon, is really morbid, false, and cruel. The unreasonable dogma that *all* human life is intrinsically sacred is, as I believe, now the greatest obstacle to the entrance of the race upon its birthright, the main cause through which we still wallow in the mire when we might mount, as upon eagle's wings, to the accomplishment of a sublime destiny.

To those who are shocked by the remedy here suggested I would say that I, too, am shocked by it; but to me it seems a hard necessity laid upon us because our fathers failed to perceive their duty in this regard and to assume their proper burden. Upon us who recognize this necessity there will rest in the eyes of our posterity a very great responsibility.

We have altered somewhat, in these recent years, our ideas of man's dignity, and are now less proud, perhaps, of our place in nature, but we must still believe that man is the highest product of evolution. In the extinguishing of human suffering, the expanding of human faculty, and the developing of all that is god-like in man, we find the noblest end for which humanity may strive, and it is for the consideration of those who labor along this path that the present book has been written.



## APPENDICES

*Appendix 1.*—The influence of many of our almshouses is similarly pernicious, but rather through indifference than sentimentality on the part of the authorities. Of the Home for Paupers, Long Island, Boston, it is said: "Here are found the aged, sick, and demented, as well as criminals and lewd women and able-bodied loafers, young and old. Admission and discharge and free passes to the city are easily gained. The inmates may spend the winter only and go tramping in the summer, or they may stay for years. The able-bodied may live with little work, and dissolute men and women may visit their old haunts in the city, spend days in carousing, and return to find shelter here and a comfortable retreat in which to recruit for further recklessness. It may be truly said that for such as these this institution has in fact become a free boarding-house kept by the city. It should deeply concern the city to discover how far it is thus itself creating the situation with which it has to deal."<sup>1</sup>

Two years later, it is said of this institution: "Decrepit old men, cripples, and sturdy loafers eat together in one dining-room, and lounge and smoke

<sup>1</sup> *Final Report*, Special Committee app. by Mayor to inspect Publ. Inst. of Boston, p. 31, 1892.

and play cards together in Loafers' Hall. A weekly ration of tobacco is given to all . . . all are allowed to live in comparative idleness, coming and going at will. Thus the place has become a headquarters for the idle and the dissolute, who find here an easy refuge from the necessity to submit to discipline or to work for themselves or their families. No regular work is provided, and if it were, it is claimed by those in authority that under existing laws it could not be enforced."<sup>1</sup>

Recently, great improvements have been made in the administration of this institution, but the fundamental defect appears to remain,—that it is by its very nature a nursery of pauperism and crime.

*Appendix 2.*—As a sample of the kind of boy who remains unreformed in spite of the best efforts of the Lyman School, the record of E. D. may be cited. This boy was committed to the School, Sept. 23, 1895, at age of thirteen, for larceny. On Aug. 16, 1897, the Trustees of the Lyman School transferred him to the Massachusetts Reformatory, saying of him: "This boy is now fifteen years and three months of age; he has been at both the Primary and the Lyman School: recently after almost twenty-two months in the School he forged a key to an officer's bedroom, and stole eight dollars. He is a boy of criminal mind who is sure to commit a crime as soon as he is set at large in the community." In spite of this unfavorable report upon his character, the boy was released from the Massachusetts Reformatory, upon ticket of leave, after a comparatively

<sup>1</sup> *Report of Board of Visitors*, Publ. Instit. Boston, p. 21, 1894.

short stay there, July 19, 1898. Six months later, then aged eighteen, he was found guilty of burglary and attempt at murder, and was sentenced to State prison, Feb. 23, 1899. Upon expiration of his sentence, this hardened criminal must be turned loose again upon the community. Under present laws, our foresight as to this boy's probable future avails us nothing.

*Appendix 3.*—Very remarkable are the spontaneous outbursts of excitement and destructive violence among prisoners, for which the keepers must stand in constant preparation. "A prisoner has lived tranquilly for several consecutive years, and his conduct has been exemplary. All at once, to the great astonishment of his guardians, he mutinies and recoils before no crime, even murder or rape. Every one is astonished. This unexpected explosion is the anguished, convulsive manifestation of personality, an instinctive melancholy, a desire to affirm the degraded ego, an emotion which obscures the judgment. It is like a spasm, an access of epilepsy; the man who is buried alive and who suddenly awakes strikes in despair against his coffin-lid; he strives to push it back, to raise it; his reason convinces him of the uselessness of all his efforts, but reason has nothing to do with his convulsions."<sup>1</sup>

In England such periodic explosions "appear to be rare in men, but, on the other hand, common in women who have, in prison language, 'broken out.' This wild fit of maniacal violence which from time

<sup>1</sup>Dostoeffsky, quoted by Havelock Ellis, *The Criminal*, p. 147. London, 1895.

to time seizes on the women confined in prisons, might almost be regarded as an exaggerated or vicarious form of orgy, and has been studied with some care in England. Here as well as abroad it is frequently supposed to be a voluntary insubordination deserving punishment. . . . ' Sometimes they know when the fit is coming on and will themselves ask to be locked up in the refractory wards. When they 're in these fits they 're terribly violent indeed; they tear up and break everything they can lay their hands on.' ''

*Appendix 4.*—"The prison, in which the criminal is confined alone, or with persons of the same sex, serves to develop perverted sexual habits to a high degree. Prince Krapotkine, speaking of the moral influence of prisons on prisoners in France, writes: 'The facts which we came across during our prison life surpass all that the most frenzied imagination could invent. One must have been for long years in a prison, secluded from all higher influences and abandoned to one's own and that of a thousand convicts' imaginations, to come to the incredible state of mind which is witnessed among some prisoners. And I suppose that I shall say only what will be supported by all intelligent and frank governors of prisons, if I say that the prisons are *the* nurseries for the most revolting category of breaches of moral law.' There is unquestionable evidence that the same practices exist, notwithstanding all discipline, in English prisons''<sup>1</sup>; and the same

<sup>1</sup> Havelock Ellis, *loc. cit.*, p. 148.

<sup>2</sup> *Ibid.*, p. 144.

thing may be affirmed relative to such institutions in the United States.

*Appendix 5.*—A striking instance of the spirit of mutual distrust in which men usually must work together is given by the precautions adopted in the United States postal system. "Most elaborate precautions are taken in the New York post-office to prevent clerks or employés from robbing the enormous mails which are handled there daily. Nine inspectors are constantly on duty under direction of Chief Inspector Ashe. These inspectors are on the watch night and day for any depredations. . . . The clerks who sort the mails have places around a large table, at the head of which is the head clerk, who is constantly observing them. And each clerk, when he enters upon his duties, receives specific instructions to keep sharp watch upon each of his fellow clerks. This makes the clerks mutually suspicious of each other, and gives them, in a way, the efficiency of regular detectives."<sup>1</sup>

*Appendix 6.*—For a picture of the kind of human beings who find refuge in our pauper institutions, the following account of the inmates of an average county almshouse is of interest:

"A man fifty-one years old, vagrant and idle, recently admitted, had a pauper sister; a man aged twenty-one years, illegitimate and an idiot, thirteen years in the State Idiot Asylum, mother licentious and dissolute; a boy thirteen years old, with congenital deformity of the lower extremities, bright and intelligent, but entirely helpless, parents said

<sup>1</sup> *Washington Evening Star*, May 2, 1896.

to be temperate and respectable; an idiot, male, aged thirty-six, thirty years an inmate, and said to be illegitimate; a girl aged sixteen years, born in the poorhouse of an adjoining county, committed to this as a vagrant at the age of fourteen years, offers but little hope of reformation; a girl eighteen years old, was thrown into the fire when an infant by her mother, who was at the time intoxicated, and sent to the poorhouse, where she has since remained, is badly deformed in the face and probably without remedy; a woman aged thirty-four years and feeble-minded, has a pauper brother, but no information obtained as to parentage; a girl fourteen years old, remarkably intelligent, two months an inmate, confirmed in habits of vagrancy and vice, and said to have been neglected in early childhood, father intemperate; a man aged forty-eight years, unknown in the county, committed on account of sickness, is believed to have been guilty of criminal practice, and probably has been in State prison; an unmarried girl, seventeen years old, fairly intelligent, recently admitted, was orphaned at the age of twelve years, since which time she has been homeless and at service; a woman said to be one hundred and two years old, and twelve years an inmate, parentage and habits of early life unascertainable; a single woman aged eighty-six years, of New England parentage, twelve years in the house, is temperate, fairly intelligent, and respectable, the last of her family generation, and a fair type of some twenty other inmates; an idiot boy thirteen years old, five years an inmate, is filthy and beastly in his

habits, and the father said to have been grossly intemperate; a vagrant boy thirteen years old, admitted at the age of seven, placed afterwards in an asylum, but returned to the house; an epileptic girl aged nineteen years, recently admitted, father intemperate; an insane woman fifty years old, once at the State asylum, and fourteen years an inmate of the house, abandoned by her husband, and hopelessly incurable; another insane woman, also fourteen years an inmate, after treatment at the State asylum, and likewise deserted by her husband; and a widowed woman eight years insane, two years at the State asylum, no other insanity in her family.”<sup>1</sup>

*Appendix 7.*—Dr. Aubry<sup>2</sup> gives the following as a specimen song of the anarchists:

“ Nos pères jadis ont dansé  
Au son du canon du passé!  
Maintenant la danse tragique  
Demande plus forte musique.

“ *Refr.*—Dame dynamite, que l’on danse vite,  
Dansons et chansons!  
Dame dynamite, que l’on danse vite,  
Dansons et chansons et dynamitons.

“ Dynamitons tous les gavés  
De la sueur des affamés;  
Il est temps qu’on en désinfecte  
Le vieux sol de notre planète.”

<sup>1</sup> Prof. A. G. Warner, *American Charities*, p. 148. New York, 1894.

<sup>2</sup> *La contagion du meurtre*, p. 270. 2me édit., Paris, 1894.

*Appendix 8.*—In 1721 there broke out “two of the most frantic commercial manias that the world has ever witnessed—in France, the Law’s Bank and Mississippi scheme: in England, the South Sea scheme. . . . The two nations went mad simultaneously; and in the same year (1721) both [schèmes] broke down, reducing thousands of families to beggary. Each gave rise to other bubbles, none of which were too absurd to be adopted. At one time, eighty-six of these undertakings were declared illegal by the Committee of the House of Commons, and abolished accordingly. No. 17 in this list will serve as a fair sample of the credulity of the period. It was entitled, ‘A company for carrying on an undertaking of great advantage, *but nobody to know what it is!*’ The projector of this cleared £2000 in five hours, and decamped.”<sup>1</sup>

*Appendix 9.*—As illustration of the inability of education or training to develop mental powers beyond the limit of hereditary endowment, it may be mentioned that children of inferior races often manifest a marvellous quickness of understanding during the earlier stages of an European education, but soon, and abruptly, come to a point beyond which their intellectual development cannot be carried. Thus, the Hawaiians have an excellent memory, and learn by heart with remarkable ease, but it appears impossible to develop their reasoning power. In New Zealand, the ten-year-old children of the natives are said to be more intelligent than

<sup>1</sup> Chas. Elam, M.D., *A Physician’s Problems*, p. 185. London, 1869.

the English children of the same age, but, with very rare exceptions, they are incapable of ever reaching the mental ability ultimately attained by the latter. On the other hand, the children of the Brahmins, sprung from a caste which has been highly cultured through very many generations, exhibit great intelligence and especially an acuteness in reasoning, whereby they show themselves vastly superior to the other natives of India.<sup>1</sup>

*Appendix 10.*—We can better understand, now, the relation between certain facial features and the mental traits which they are generally supposed to indicate. Thus, the possessor of a Roman nose is usually a person of aggressive energy, and the bearer of red hair, usually one of irritable temper, not because there is any direct connection between such physical and mental characters,—none at least of which we can reasonably conceive,—but probably because these chanced to be concomitant characteristics of old racial strains from which the individuals in question have derived some considerable part of their constitution.

*Appendix 11.*—The convoluted surface of the brain is known as the "cortex." It is here that the highest centres of nerve-energy are found, here that the cells are spread whose functions underlie the phenomena of consciousness. The brain-cortex is divided into areas of varied function. There are regions for the reception of impressions from all parts of the body

<sup>1</sup> Otto Ammon, *Die natürliche Auslese beim Menschen*, pp. 57, 58. Jena, 1893.

itself, and, through the organs of special sense, from the external world, and for the sending of motor-impulses to the voluntary muscles; on the other hand, there are regions where sensory impressions are brought together, compared, and wrought into the elaborate combinations which we term thoughts, feelings, and volitions. These two sets of regions constitute, respectively, the so-called "sense-centres" and the "association-centres"; it is to the remarkable development of these latter in man that we must attribute his pre-eminence over all other animals. In the rodents, association-centres appear to be altogether absent, the sense-centres constituting the entire stretch of the brain-cortex; in the carnivora, association-centres exist but are relatively small; in the catarrhine apes, the area of the association-centres is about equal to that of the sense-centres; in man, the area of the association-centres exceeds very considerably that of the sense-centres, the difference being especially marked in the brains of those who have been unusually intelligent.<sup>1</sup>

*Appendix 12.*—The very great difference in this respect between whites and negroes in Washington is shown by the following table\*:

Percentage of illegitimate among total births :

<sup>1</sup> Prof. Paul Flechsig, *Gehirn und Seele*, p. 84. 2te. Ausgabe, Leipzig, 1896.

\* "Race Traits and Tendencies of the American Negro," F. L. Hoffman, F.S.S., *Publ. Amer. Econom. Assoc.*, vol. xi., Nos. 1, 2, and 3, p. 203, Aug., 1896.

	WHITE.	COLORED.
1879.....	2.3	17.6
1883.....	3.6	19.0
1889.....	3.6	23.5
1894.....	2.6	26.5
Average for 16 years.....	2.9	22.5

*Appendix 13.*—In such computations, allowance must be made, of course, for the occasional recurrence of the same lines of descent—as, *e. g.*, when father and mother are cousins. The subject has been interestingly worked out by H. Kendall, in "Natural Heirship," *Nineteenth Century*, Oct., 1885, and by President D. S. Jordan, in "The Heredity of Richard Roe," *Foot-Notes to Evolution*, New York, 1898. See, also, Prof. W. K. Brooks, *Foundations of Zoölogy*, p. 144, New York, 1899.

*Appendix 14.*—"I have never observed paranoia in an individual without taint. In the great majority of cases, the taint was hereditary (abnormal characters, psychoses, constitutional neuroses, drunkenness in the ancestry); less frequently it was acquired through infantile brain-disease or rickets, which disturbed the development of skull and brain. Tanzi and Riva found in their cases of paranoia 77 per cent. to be due to heredity, and 9.5 per cent. to disturbance of development through infantile brain-disease. In the remaining 14 per cent. hereditary relations could not be demonstrated, but also not excluded. Much more important for the scientific explanation of the matter is the clinical proof of taint in the individual case. Here, a careful

investigation of the personality as it was before, as well as during, the outbreak will never give a negative result."<sup>1</sup> "It is a constitutional insanity, almost without exception hereditary, or based on an inherited or acquired degenerative taint."<sup>2</sup>

*Appendix 15.*—Says Prof. H. F. Osborn: "In spite of reversion and the strong force of repetition in inheritance, the human race is steadily evolving into a new type."<sup>3</sup> Among specially noticeable structural changes now proceeding in civilized men, may be mentioned: the reduction in size of the lower jaw; the disappearance of the "wisdom" teeth; and the development of the great toe, with concomitant dwindling of the little toe and outer side of the foot. As an instance of the innumerable smaller structural features now known to be in process of change, may be cited the so-called intercondylar foramen, a perforation near the inferior extremity of the bone of the upper arm. This anatomical feature "is found in 30 per cent. of skeletons of the reindeer period; in the dolmen period it fell to 24 per cent.; in Parisian cemeteries between the fourth and tenth centuries it is found in 5.5 per cent.; it has now fallen to 3.5 per cent."<sup>4</sup>

The earth's surface-aspect is slowly changing through the unremitting influence of terrestrial

<sup>1</sup> Dr. R. v. Krafft-Ebing, *Lehrb. d. Psychiatrie*, p. 402. 5. Aufl., 1893.

<sup>2</sup> Dr. E. C. Spitzka, *Insanity*, p. 293. New York, 1892.

<sup>3</sup> "The Contemporary Evolution of Man," New York *Medical Record*, Feb. 20, 1892. Reprint, p. 20.

<sup>4</sup> *Ibid.*, p. 12.

forces, but is now often abruptly, and very remarkably, altered by the play of man's intelligence. In like manner, during vast ages, there has been a gradual transformation of the human body and mind, and if man so will, he can now within a few generations, through artificial selection, effect a profound modification of his physical and mental being.

*Appendix 16.*—"The murder of a peaceable citizen by a robber which took place at Bedford a day or two ago was horrible enough, but we must confess that it is even more shocking to read of the career of one of the gang. . . . This murderer has been a curse to society for more than thirty years. In 1865, while committing a burglary, he killed a citizen of Baltimore. He was tried, convicted, and sentenced to death. On appeal the conviction was reversed and on a second trial he was acquitted. After committing a number of atrocious crimes known to the police and probably as many more that are not recorded, he undertook to rob a bank in Iowa and there too shot a man. He was convicted this time, but after serving a small part of his sentence was pardoned. Since his release he has been engaged in the business of robbing post-offices. Within three or four years he has been known to our police to have in his possession a complete set of burglar's tools. Some of the police declare that he has planned and aided in carrying out nearly every great burglary that has been committed for twenty-five years. Is it surprising that the common people resort to lynching murderers

when the law is incapable of dealing with such terrors to the community as this ?”<sup>1</sup>

*Appendix 17.*—That ever-active process of change throughout nature which we term evolution reveals an unmistakable rhythm. In this great scheme, whether advance or retrogression be the predominant character of the motion, there is constant alternation of the direction which to the scrutiny of the moment may be most puzzling; only by observation through long stretches of time can the real trend of the evolutionary process be rightly apprehended. There is no better symbol for evolution, doubtless, than the motion of the tides. As, with the rising tide upon a shore, many waves fall far short of the level attained by those which have preceded them, so, with the advance of human institutions, the motion is not always directly onward. No general change in the thought and feeling of men can become permanent until the process of flow and ebb has been sufficiently long continued to permit of a general adjustment of the community to the new conditions.

*Appendix 18.*—The *tour* was a hollow wooden cylinder fixed in an hospital wall, with an open sidé which might be turned toward the street or toward the reception-room within. The tinkle of a bell from without caused an attendant to revolve the *tour*, an infant was deposited, the cylinder turned again, and the little waif received into careful foster-hands. Sometimes the *tour* was constructed in another fashion. Within the thickness of the

<sup>1</sup> New York *Evening Post*, Aug. 22, 1896.

hospital wall was a space in which a little cradle was to be found: an outer door was opened, the infant deposited, and then, upon the ringing of a bell, received through an inner door into the hospital.<sup>1</sup>

*Appendix 19.*—The following table\* shows very plainly the general aversion to the actual execution of the death-sentence:

STATE.	DEATH SENTENCE.	EXECUTIONS.
Austria (1870-9).....	806	16
France (1870-9).....	108	93
Spain (1868-77).....	291	126
Sweden (1869-78).....	32	3
Denmark (1868-77).....	94	1
Bavaria (1870-9).....	249	7
Italy (1867-76).....	392	34
Germany, North (1869-78).....	484	1
England (1860-79).....	665	372
Ireland (1860-79).....	66	36
Scotland (1860-79).....	40	15
Australia and New Zealand (1870-9)	453	123
United States, about 2500 murders annually; about 100 executions and 100 lynchings annually. [There has been an enormous increase in the annual rate of murders and lynchings in the United States; the number of murders for the year 1896 has been given as 14,000. See note, p. 193.]		

In Finland, between 1824 and 1880 there was no execution. In Holland, Portugal, Roumania, and Italy, capital punishment is abolished by law; and in Belgium virtually. Switzerland also has abolished it, but a few cantons, under the influence of a few

<sup>1</sup> *Dictionnaire du xixme siècle*, Larousse, Art., "Tour d'hospice."

\* Published by the Howard Assoc., and quoted by Enrico Ferri, *Criminal Sociology*, p. 244. New York, 1896.

atrocious and recurrent crimes, revived it in their codes, but did not carry it out. In the United States it has been abolished in Michigan, Wisconsin, Rhode Island, and Maine.<sup>1</sup>

*Appendix 20.*—Those who accept the idea of antipodes, says St. Augustine, “give the lie direct to King David and to St. Paul, and therefore to the Holy Ghost.” “The universal Church was arrayed against it, and in front of the vast phalanx, stood, to a man, the fathers. To all of them this idea seemed dangerous; to most of them it seemed damnable.”<sup>2</sup>

*Appendix 21.*—A solemn decree of Pope Paul V. declared that “the doctrine of the double motion of the earth about its axis and about the sun is false, and entirely contrary to Holy Scripture.”<sup>3</sup> A Jesuit father proclaimed: “The opinion of the earth’s motion is of all heresies the most abominable, the most pernicious, the most scandalous; the immovability of the earth is thrice sacred; argument against the immortality of the soul, the existence of God, and the Incarnation, should be sooner tolerated than an argument to prove that the earth moves,”<sup>4</sup>

*Appendix 22.*—It was then thought rather a questionable act to smile at all, but to smile on Sunday was deemed a positive sin. Thus, “In 1650, when Charles II. was in Scotland, ‘the clergy reprehended

<sup>1</sup> Ferri, *loc. cit.*

<sup>2</sup> Dr. A. D. White, *Hist. of Warfare of Science with Theology*, i., 103. New York, 1896.

<sup>3</sup> *Ibid.*, p. 138.

<sup>4</sup> *Ibid.*, p. 139.

him very sharply, if he smiled on those days' [Sundays]."<sup>1</sup> "According to this code [of the Scotch clergy in the seventeenth century], all the natural affections, all social pleasures, all amusements, and all the joyous instincts of the human heart were sinful, and were to be rooted out."<sup>2</sup> "It mattered not what a man liked; the mere fact of his liking it made it sinful. Whatever was natural was wrong. The clergy deprived the people of their holidays, their amusements, their shows, their games, and their sports; they repressed every appearance of joy, they forbade all merriment, they stopped all festivities, they choked up every avenue by which pleasure could enter, and they spread over the country an universal gloom. Then, truly, did darkness sit on the land."<sup>3</sup>

*Appendix 23.*—It was generally maintained, for many years after the invention of the lightning-rod by Franklin, that as lightning was a token of divine displeasure it was an impiety to interfere with its tendency toward destruction. The earthquake of 1775, in America, was widely viewed as a punishment for the application of Franklin's invention. The opposition to the use of lightning-rods in Europe, upon theological grounds, was more prolonged and obstinate.<sup>4</sup>

*Appendix 24.*—Early in the eighteenth century, inoculation as a preventive of smallpox was practised in France, and soon after was introduced into England. "The French theologians of the

<sup>1</sup> Buckle, *Civilization in England*, iii., 254. London, 1873.

<sup>2</sup> *Ibid.*, p. 252. <sup>3</sup> *Ibid.*, p. 269. <sup>4</sup> Dr. A. D. White, *loc. cit.*, i., 366.

Sorbonne solemnly condemned it; the English theologians were most loudly represented by the Rev. Edward Massey, who in 1772 preached and published a sermon entitled, 'The Dangerous and Sinful Practice of Inoculation.''' In this sermon it was stated "that diseases are sent by Providence for the punishment of sin; and that the proposed attempt to prevent them is 'a diabolical operation.'''<sup>1</sup> About 1721, Dr. Zabdiel Boylston introduced the practice of inoculation into Boston: he was violently opposed by the medical profession and by the general sentiment, and the authorities were urged to try him for murder. It was maintained that inoculation was "an encroachment on the prerogatives of Jehovah, whose right it is to wound and smite."''<sup>2</sup>

*Appendix 25.*—In 1847, Simpson, a Scotch physician, having introduced the use of chloroform into obstetric practice, a storm of opposition arose, upon the ground that the use of an anæsthetic, under such circumstances, was impious and contrary to the Scriptures, as being an attempt to avoid a part of the original curse upon woman. The battle waged was fierce and long.<sup>3</sup> The eminent Scotch surgeon, James Syme, was one of the bitterest opponents of the new practice.

*Appendix 26.*—Not only was the application of the custom not intelligently comprehensive but many irrational and vicious practices were directly arrayed against its cleansing efficiency. As an

<sup>1</sup> Dr. A. D. White, *loc. cit.*, ii., 55.

<sup>2</sup> *Ibid.*, p. 56.

<sup>3</sup> *Ibid.*, p. 62.

instance of the blindness of ancient civilizations to the causes of racial debility, there may be cited the following peculiar custom which prevailed among the Babylonians, and was approved by Herodotus as their wisest. Once a year in every village, all the maidens of a marriageable age were brought together and disposed of as wives by auction. The most beautiful were sold first; then those who were plainer, the ugly, and the crippled or deformed. The money paid for the desirable maidens was used as an aid to the disposal of those who were undesirable, "for when the crier had finished selling the handsomest of the maidens, he made the ugliest stand up, or one that was a cripple, and put her up to auction, for the person who would marry her for the least sum, until she was adjudged to the man who offered to take the smallest sum. This money was obtained from the sale of the handsome maidens; and thus the beautiful ones portioned out the ugly and crippled."<sup>1</sup> The evident object of this custom was to make of every woman a mother, no matter how unsuitable for this high privilege; to effect a multiplication of citizens irrespective of their quality.

A certain form of incest which to us appears not only revolting but dangerous through its influence upon offspring "seems," among the ancient Egyptians, "to have been regarded as perfectly right and natural."<sup>2</sup>

<sup>1</sup> Herodotus, i., 196. Engl. trans. by Henry Cary, p. 85. New York, 1870.

<sup>2</sup> See G. Maspero, *The Dawn of Civilization*. Engl. transl. by M. L. McClure, p. 50. New York, 1894.



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